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AN

ECCLESIASTICAL HISTORY

OF

GREAT BRITAIN.

PART II.—BOOK VII.

WHITGIFT, at his first coming to the see, had instructions from the queen to hold a strait rein, to press the discipline of his Church, and recover his province to uniformity. This method agreed with the archbishop's sentiment, and was probably suggested by himself: for he insisted strongly upon the clergy's subscribing the three articles afterwards required by the canons, passed in 1603: that is, the queen's ecclesiastical supremacy, the unexceptionableness of the Common Prayer and Ordinal, and that the Nine-and-Thirty Articles are altogether agreeable to the word of God.

ELIZABETH.

581.

Archbishop Whitgift presses subscription to the three articles.
Can. 36.

About this time one Robert Brown, descended of a considerable family in the county of Rutland, began to publish his heterodoxies, and grow very troublesome. He was bred in Benet College in Cambridge, fell into Cartwright's opinions, and at last went much farther in his singularities. He was extravagantly satirical against the Church of England: in his discourses her government was Antichristian, her sacraments clogged with superstition; the Liturgy had a mixture of Popery and Paganism in it; and the mission of the clergy was no better than that of Baal's priests in the Old Testament. And now believing himself obliged to go out of Babylon, he set sail for Zealand, and joined Cartwright's congregation at Middleborough; but finding some of the old blemishes even here, he resolved to refine upon Cartwright's scheme, and pro-

Brown deserts the Church of England, and begins a sect.

WHIT-
GIFT,
Abp. Cant.

duce something more perfect from his own invention. His model was drawn in a book entitled, "A Treatise of Reformation," and printed the year previous at Middleborough. And having sent as many copies into England as he thought necessary, followed his blow, and came over soon after.

At this time the Dutch had a numerous congregation at Norwich; many of these people inclining to Anabaptism, were the more disposed to entertain any new resembling opinions. Brown made his first essay upon three Dutchmen, and being of a positive imperious temper, took care to pick out the most flexible and resigning. And after having made some progress amongst them, and raised himself a character for zeal and sanctity, he began to tamper farther, and advance to the English; and here he took in the assistance of one Richard Harrison, a country school-master. Being thus reinforced and flushed with success, he played his project at length, formed Churches out of both nations, but mostly of the English: and now he instructed his audience, that the Church of England was no true Church; that there was little of Christ's institution in the public ministrations, and that all good Christians were obliged to separate from those impure assemblies; that their next step was to join him and his disciples; that here was nothing but what was pure and unexceptionable, evidently inspired by the Spirit of God, and refined from all alloy and profanation¹.

Heylin,
Hist. of
Presbyt.
lib. 7.

These discourses prevailed on the audience, and precept was brought up to practice: and now his disciples, called Brownists, formed a new society, and made a total defection from the Church. For the men of this thorough reformation refused to join any congregation in any public office of worship. This was the first gathering of Churches, the first schism in form, which appeared in England. To justify these opposite congregations, Brown scattered his books in most parts of the kingdom; but the government was far from conniving at these liberties; for Elias Thacker and John Copping were indicted this summer upon the statute of 23 Eliz. cap. 2, for dispersing these pamphlets, brought in guilty of felony, and executed at Bury St. Edmund's. The crime they were charged with was stirring up sedition, and defaming the Common Prayer.

*He forms
separate
congrega-
tions.*

June 4.
Stow's
Annals.

As for Brown, the author, he was more gently dealt with

¹ From the Brownists many writers deduce the origin of the Independents and other Congregationalists.

than either of these criminals, or many others perverted by him. Being convented before Freake, bishop of Norwich, and other ecclesiastical commissioners, he not only maintained his schism, but misbehaved himself to the court, upon which he was committed to the custody of the sheriff of Norwich. But the lord treasurer Burleigh being his near relation, procured his enlargement. This nobleman, who endeavoured his recovery, ordered him to come to London, and Whitgift being now at Lambeth, he was referred to him for better instruction. This prelate, by the dexterity of his management, and the force of his reasoning, brought him at last to a tolerable compliance with the Church of England. Being dismissed by the archbishop, the treasurer sent him to his father in the country, with directions for gentle usage. But here, instead of disengaging himself from the remaining scruples, his heterodoxies revived, he relapsed to his former condition, and proved utterly incorrigible; upon which the old gentleman discharged him the family. At last, after a great deal of ramble and suffering for his obstinacy, he recovered himself so far as to take a benefice with cure of souls in Northamptonshire. It was Lindsell, bishop of Peterborough's discipline which brought him to this recollection. The bishop being informed that Brown lived at Northampton, and was busy in promoting his sect, sent him a citation to come before him; he refused to appear: upon which contemptuous omission he was excommunicated. Brown being deeply affected with the solemnity of this censure, made his submission, moved for absolution, and received it; and from this time continued in the communion of the Church. He lived and died at last in Northampton gaol, but not upon the score of nonconformity, but breach of the peace: and thus the concluding his history at once, has carried me much beyond the time; for Brown lived to the year 1630. But though Brown conformed himself, he was very unhappy in other respects; for it was not in his power to close the schism, nor retrieve those he had misled. Many of his followers continued unreclaimed, and suffered death for their mispersuasion.

ELIZABETH.

582.

He is brought off his error, relapses; and recovers.

Heylin,
Hist. of
Presbyt.
Biblioth.
Scriptor.
Eccles.
Anglic.
Prefat.

The severity of the laws for nonconformity, and the execution of Thacker and Copping, put the Puritans upon their guard, and made them manage with great precaution. Until this time these Dissenters had no distinct form either of discipline or worship for their congregations: and thus every

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preacher being left to his discretion, collected what directions he thought proper out of Cartwright's books. But this divine had by this time beaten out his scheme more at length, and drawn up a body of discipline. This book was looked on as the standard for public worship.

A book of discipline drawn together, with the resolution of the assemblies putting it in practice.

And now a general assembly was held for putting this discipline in execution; and that their proceedings might be more unexceptionable, and under shelter, it was resolved that the peace of the Established Church should be shocked as little as possible. To this purpose, the following articles were agreed:—

“First, That those who were called to the ministry of any church, should first be approved by the classis, or greater assemblies; and then recommended to the diocesan, to be ordained by him.”

Bancroft's
Dangerous
Positions,
lib. 3. p. 108.

By the way, a “classis” consists of a few neighbouring ministers met together, commonly to the number of twelve.

To proceed: “Those ceremonies in the Book of Common Prayer, which are contested upon the score of their being extracted from the Breviaries and Missals, ought to be omitted, provided this may be done without danger of being barred their function¹. But in case there is apparent danger of being deprived, then this matter must be referred to the ‘classis’ of the respective precincts, and determined by them.

13 Eliz.
cap. 12.

“Thirdly, If subscription to the Articles of Religion, and the Book of Common Prayer, shall be farther urged, it is thought the Book of Articles may be subscribed pursuant to the statute: that is, only such articles as contain the sum of Christian faith, and the doctrine of the sacraments. But for many weighty reasons, this subscription ought neither to be carried to the rest of the articles, nor to the Book of Common Prayer. Compliance was not to go thus far, though a man should be deprived, and struck out of the ministry for his refusal.

“Farther, it was resolved, though not in decisive language, that churchwardens and collectors for the poor, might be turned into elders and deacons. This was so contrived, that the office might be new in some measure, without changing the names, or giving a different face to the state of the

¹ These religionists forgot that the Roman Church, like every visible Church on earth, is a mixed system, partly good and partly evil; and that many portions of its Missals are as excellent as others are objectionable.

church. For this purpose, notice was to be given of their election about a fortnight before the customary time. The congregation was likewise to be put in mind, at such times, of our Saviour's ordinance for the appointing of watchmen and overseers in his Church, that their business is to take care for the prevention of scandal; and if any offensive behaviour happens, that it is their office to see it corrected.

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BETH.

“ And, as touching deacons and deaconesses, the Church is to be reminded of the apostle's admonition; they are not to govern their choice by common practice, but that sound belief, zeal, and integrity ought to be preferred to wealth and condition; and that the Church is to pray to God Almighty in the mean time, that they may be directed to proper persons.

“ The names of those elected in this manner were to be published the next Lord's-day. After this, the respective duties between them and the congregation was to be set forth. And, lastly, they were to be admitted to their office with the prayers of all the people.”

There were likewise regulations made for a division of the churches into classical, provincial, and general assemblies, pursuant to the “ Book of Discipline.” The classes are required to keep a registry of their acts, and deliver them to the greater assemblies. The classes are likewise required to use their interest with the patrons within their precincts, that none but persons well qualified may be presented. Their comital assemblies, held at the time of the act and commencement at Oxford and Cambridge, were to make contributions for the relief of the poor; but more especially for the relief of those deprived for not subscribing the articles. And here contribution for the Scotch ministers was particularly recommended.

By the way, the king of Scots having broke through his confinement, and recovered himself from the Ruthven conspiracy, several of the ministers who had been most forward in the faction were forced to quit the kingdom. Some of these men took shelter in England; and it is their case which is thus considered by the assembly.

Refutat.
Libel. de
Regim.
Scotic.

“ Lastly, All provincial synods were to appoint their next meeting, fix upon representatives for the national or general assembly, and furnish their proxies with instructions. This national synod was to meet either sitting the parliament, or at some other stated times every year.”

583.

Bancroft's
Dangerous
Positions,
lib. 3. p. 45.
See Cart-
wright's

Under these disguises they hoped to carry on their dis-

WHIT-
GIFT,
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Directions,
printed
A. D. 1644.

Bancroft's
Dangerous
Positions,
lib. 3. p. 82.

"*Ego singu-
lis Sabbatis
cum pre-
scripta li-
turgia for-
mula nihil
habens com-
merci, in
eatu con-
cionem ha-
beo,*" &c.
Heylin,
Hist. Pres-
byt. lib. 7.
Bancroft's
Dangerous
Positions,
lib. 3. p. 84.
*Whitgift
presses con-
formity.*

cipline, and cover themselves from prosecution; and, to make their motion the smoother, they agreed to drop the exercise of prophesying, and set up lectures in some of the principal towns of every county. But, after all, there was one great difficulty remaining: and that was, the inconsistency of Cartwright's model with the worship publicly established. No strains of art could bring the order of Geneva and the English rubric to any tolerable harmony. This difference was not to be compromised by those who resolved to adhere to Cartwright's direction. However, they found out something of an evasive expedient. For instance, their method was either to hire a lay-brother, (as Snape did a lame soldier of Berwick,) or some ignorant curate, to read the Common Prayer; but, as for themselves and their followers, they never came to church till the liturgy was over, and the psalm was singing before the sermon. Thus, one of these ministers, in his letter to Field, acquaints this Dissenter, "that he stood clear of the Common Prayer, and preached every Lord's-day in his congregation; that he managed with this liberty by the advice of the reverend brethren who had lately made him one of the classis, which was held weekly in some place or other."

Thus the Church affairs stood when Whitgift came to the see of Canterbury. Now, this prelate had no latitude for indulgence or comprehension. He had formerly engaged in controversy with Cartwright, and was entirely for a thorough conformity. It is granted the Puritans were not unfurnished with great men in their interest. Amongst some of these may be reckoned the earls of Huntingdon and Leicester; Roger, lord North; sir Francis Knolles, treasurer of the household; and secretary Walsingham. But, as for the queen, she had no good opinion of the Dissenters: they maintained some uncourtly doctrine, as it was then reckoned; they confined her majesty's supremacy to temporal jurisdiction; they did not caress her prerogative, nor stretch her empire far enough into the Church. Their not falling in with the queen's inclination was one main reason of drawing disfavour upon them. This made her cold to intercession, and disabled their patrons from doing them much service: and, to prevent importunities of this kind, she referred ecclesiastical business wholly to Whitgift's management. This prelate acted vigorously, and answered the confidence put in him. His first business was pressing subscription to the three articles above-mentioned.

This was strongly remonstrated, and complained of as intolerable rigour. Upon this occasion, the Dissenters solicited their friends, both in court and country, and made their utmost effort to procure a relaxation; and, had not Whitgift been a person of great capacity and courage, and well supported by the crown, he had been irrecoverably embarrassed, and sunk in the undertaking. To give some account of this matter: the archbishop began with some in his own diocese: these men, who were designed for a precedent to the province, refusing to subscribe, were suspended for their contumacy. For relief against this censure, they presented a petition to the lords of the council. An application of the same kind was made to the board by some clergy of the diocese of Norwich against Freake, their bishop. As to the Kentish ministers' petition, the archbishop was required to answer his proceedings at the council-table. Instead of making his defence this way, he sent them a letter, part of which is to this effect:—

ELIZABETH.

*Petitions to
the council
against him.*

He acquaints the board, "that the greatest part of the petitioners were ignorant and raw young men, and few of them licensed preachers; that he had spent the best part of two or three days to disentangle their understandings; that, not being able to recover them to a right sense in the points debated, he had proceeded no otherwise than the law required; that the number of those who refused subscribing was not great,—in most parts of his province not one, and in some very few, and that the greatest part of those who scrupled this test were unlearned and unworthy the ministry; and that, in his own little diocese of Canterbury, more than three-score preachers have subscribed, whereas there was not above ten refusers who deserve the name of preachers; and that he was sure they may calculate upon this proportion through the whole province, the diocese of Norwich excepted, in which, notwithstanding, the Conformists are far more numerous; that the keeping his station would be impracticable if every curate in his diocese might take these freedoms against him; that it was not possible for him to perform the duty the queen expected, if he was checked in the execution of that authority; that he could not be persuaded their lordships had any intention to make him a party for acting upon her majesty's commission: that, in these matters, he was to have no judge of his management excepting the queen. And, since he was

*His letter to
the council
with re-
ference to
the Kentish
petition.*

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lawfully called by God and her majesty to his station, since he was appointed their pastor (meaning the council), and had the greatest charge over them in things relating to the soul, he desired them to assist him in his post, to fortify his jurisdiction, for the repose of the Church, the credit of the religion established, and the maintenance of the laws for that purpose." And, as to the three articles required to be subscribed, he declares himself ready to defend them, in the form and terms in which they are couched, against any persons in England or elsewhere. And, lastly, he desires their lordships to acquiesce in this answer, and not insist upon his coming to the board: for these troublesome complainants would not fail of making their advantage of such an attendance.

Fuller's
Church
Hist. book 9.
*His answer
to the re-
monstrance
of the Suffolk
ministers.*

To the Suffolk ministers' remonstrance he answers, "that he was somewhat surprised these clergymen, believing themselves hardly used by their diocesan, should quit the common course of the law, forget appealing to their metropolitan, strike off to an extraordinary method, and trouble their lordships with this business: a business which he conceives somewhat foreign to that honourable board, since the queen, by her own express direction, had referred these causes ecclesiastical to himself. And over and above, that the cognizance of these matters was an incident belonging to his office. In answer to their complaint touching their ordinary's proceedings with them, he sent their lordships a copy of the bishop of Norwich's letter: this, he thinks, a sufficient defence of the bishop's management. As to other things he is somewhat at a loss what to pronounce. They say they are no Jesuits sent from Rome to reconcile, &c. That's true, (continues the archbishop,) neither are they charged with any such character. However, their contentious humour disserves the Church of England, occasions scandal, and gives a handle to the Jesuits to make proselytes: their giving the sacraments against the direction of the rubric, and the laws of the realm, increases the number of nonconformists, and confirms them in their obstinacy. He proceeds to charge them with making a schism in the Church, and drawing her majesty's subjects to a dislike of her laws and government in causes ecclesiastical. Take them at the best, they suggest no more than a partial obedience to their audience: for they confine her majesty's authority to civil matters, and lay it down for a maxim, that spiritual jurisdiction is foreign to the

crown: this, in the archbishop's opinion, is in a manner plucking down with one hand what they build with the other." ELIZABETH.

The great men at court, who favoured the Puritans, finding the archbishop countenanced by the queen, and a person of no ordinary reach and resolution, did not think fit to engage their character, and risk their fortune, by an open opposition. They chose therefore to retire from observation, kept their motion out of sight, and put Beale forward upon the enterprise. This Beale was an intemperate anti-papist, and drove furiously to a counter extreme; and, to make the best construction, had much more zeal than knowledge. This man is said to have looked on every thing as popish, which did not chime in with the Puritan fancy; and that the bishops were no better than limbs of antichrist¹. His post of clerk of the council could not make him hearty for the government, nor prevail with him against a preference to the malcontents. His custom was to rally those sermons which went farthest in commendation of the queen's government. This man had either written or encouraged a warm discourse against subscription: it was dedicated to the archbishop, and presented to him. A report was likewise purposely spread, that the three articles to which subscription was required, should shortly be disabled by an act of council. But Beale being afterwards apprehensive these papers might be laid before the queen, resolved to recover the copy delivered to the archbishop. For this purpose he went over to Lambeth, where he misbehaved himself so very remarkably, that the archbishop thought fit to acquaint the lord-treasurer with what passed between them. I shall give the reader the letter in the archbishop's words.

Idem.

Beale undertakes the Dissenters' cause. His misbehaviour towards the archbishop.

“ To the Lord-Treasurer.

“ MY SINGULAR GOOD LORD,

“ I have borne with Mr. Beale's intemperate speeches, unseenly for him to use, though not in respect of myself, yet in respect of her majesty, whom he serveth, and of the laws established, whereunto he ought to show some duty. Yesterday he came to my house, as it seemed, to demand the book which he delivered me. I told him that the book was written to me, and therefore saw no reason why he should require it again;

¹ I have frequently exposed the absurdity of identifying the pope with antichrist, and abusing the most sacred things, because the pope has used them: but none are so blind as those who won't see.

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GIFT,
Abp. Cant.

especially, seeing I was assured that he had a copy thereof, otherwise I would cause it to be written out for him. Whereupon he fell into a very great passion with me, (which I think was the end of his coming;) for proceeding in the execution of his articles, &c. and told me, in effect, that I would be the overthrow of this Church, and a cause of tumult, with many other bitter and hard speeches, which I heard patiently, and wished him to consider with what spirit he was moved so to say: for I said it cannot be by the Spirit of God, because the Spirit of God worketh in men humility, patience, and love; and your words declare you to be very arrogant, proud, impatient, and uncharitable. Moreover, the Spirit of God moveth men to hear the word of God with meekness, &c. and you have almost heard with disdain every sermon preached before her majesty this Lent, gibing and jesting openly thereat, even in the sermon-time, to the offence of many, &c.—This he confessed and justified, accusing some of the preachers with false doctrine, and wrong allegations of Scripture, &c. Then he began to extol his book, and said we were never able to answer it, neither for the matter of divinity, nor yet of law. I told him, as the truth is, that there was no great substance in the book, that it might be very soon answered, and that neither his divinity nor law appeared to be great. I farther wished him to be better advised of his doings; and told him, indeed, that he was one of the principal causes of the waywardness of divers, because he giveth encouragement to divers of them to stand in the matter, telling them that the articles shall be shortly revoked by the council, and that my hands shall be stopped, &c. which saying is spread abroad already in every place, and is the only cause why many forbear to subscribe, which is true, neither could he deny it. All the while I talked with him privately in the upper part of my gallery, my lord of Winchester, and divers strangers, being in the other part thereof. But Mr. Beale beginning to extend his voice that all might hear, I began to break off; then he, being more and more kindled, very impatiently uttered very proud and contemptuous speeches in the justifying of his book, and condemning of the orders established, to the offence of all the hearers, whereunto (being very desirous to be rid of him) I made small answer, but told him that his speeches were intolerable, that he forgot himself, and that I would complain of him to her majesty; whereof he seemed to make small account,

and so he departed in great heat. I am loth to hurt him, or to be an accuser, neither will I proceed therein further than your lordship shall think it convenient: but I never was abused more by any man at any time in my life, than I have been by him since my coming to this place, in hardness of speech for doing my duty, and for all things belonging to my charge. Surely, my lord, this talk tendeth only to the increasing of the contention, and to the animating of the wayward in their waywardness, casting out dangerous speeches, as though there were likelihood of some tumult in respect thereof: whereas, in truth, God be thanked, the matter groweth to greater quietness than I think he wisheth, and will be soon quieted, if we be let alone, and they not otherwise encouraged. It seemeth he is in some way discontented, and would work his anger on me. The tongues of these men taste not of the Spirit of God. Your lordship seeth how bold I am to impart unto you my private causes. Truly, if it were not that my conscience is settled in these matters, and that I am fully persuaded of the necessity of these proceedings in respect of the peace of the Church, and due observation of God's laws, and that I received great comfort at her majesty's hands, (as I did most effectually at my last being at the court,) and that I were assured of your lordship's constancy in the cause, and of your unmoveable goodwill towards me, I should be hardly able to endure so great a burthen, which now (I thank God) in respect of the premises seemeth easy unto me; neither do I doubt but God will therein prosper me. Thus, being desirous to impart this matter to your lordship, to whose consideration I leave it, I commit you to the tuition of Almighty God.

ELIZA-
BETH.

585.

“JOHN CANTUAR.”

Fuller's
Church
Hist. book 9.

The lords of the council being farther solicited by the Dissenters, wrote to the archbishop for abatement of discipline. Their letter begins with their “having received complaints from several counties against the rigour of the ecclesiastical courts; and that a great number of the clergy have been suspended or deprived: that they forbore entering into a particular inquiry, hoping his lordship would inspect the proceedings, and temper the severity of those inferior jurisdictions. The same lenity they likewise expected from the bishop of London. And that this latter being both a bishop and an

*The lords
of the coun-
cil's letter to
the arch-
bishop in
favour of the
Dissenters.*

WHIT-
GIFT,
Abp. Cant.

ecclesiastical commissioner, would have exerted his character for this purpose; but instead of any pastoral compassion of this kind, lamentable complaints have been brought to the board from the county of Essex; where a great number of preachers, distinguished for their zeal and learning, are suspended from their function, and no provision made in most of their cures, either for instruction, for prayers, or sacraments: that some of those appointed to supply the vacancies, have neither learning nor reputation to recommend them. From hence the council proceeds to charge a great many of the conforming clergy in Essex with ignorance and immorality, with being pluralists, and consequently non-resident. In the close, they earnestly desire the archbishop and the bishop of London to give a charitable consideration to these Dissenting ministers, and not deprive the people of their pastors upon the score of some scruples in ceremonies."

Idem.

This letter is subscribed, though without date, by

WILL. BURLEIGH.

C. HOWARD.

GEORGE SHREWSBURY.

J. CROFT.

A. WARWICK.

CHR. HATTON.

R. LEICESTER.

FRA. WALSINGHAM.

His answer.

The archbishop, in his answer to this letter, acquaints the council, "that he hoped the information their lordships received was wide of matter of fact, as to the most of it: but that in regard the bishop of London was out of the way, he could not make a full answer at present. That some people about Malden, because they cannot have ministers to humour their disorders, had preferred a general complaint against the clergy to himself, and some others in the ecclesiastical commission. That letters had been sent to some of the principal complainants to exhibit the names of those offensive ministers, together with the proofs of their misbehaviour. And that in case the charge was made good, the commissioners promised them a redress of their grievances. That the beginning of the next term was the time assigned them to make good their complaint; but that by applying to the council-board they had anticipated the time set them, and seemed willing to decline the jurisdiction of the ecclesiastical commissioners: and by what views they must be governed by affecting these measures,

he leaves to their lordships' consideration. He adds, farther, that he heard the bishop of London declare that very few of his clergy had been presented at any visitations for such misconduct as these complainants charge them with. And that very few preachers had been silenced in the diocese of London. And that those who fell under this censure were remarkably disorderly and turbulent. And lastly, he assures their lordships that nothing shall be done in his province, either by himself, or his brethren, but what tends to the peace of the Church, the support of the constitution, and the encouragement of the most pious and deserving part of the clergy."

ELIZA-
BETH.

To give a farther account of the archbishop's conduct, I shall mention some of his most remarkable visitation articles.

Ibid.
Regist.
Whitgift,
part I.
fol. 97.

To begin: "It is ordered, that all preaching, reading, catechising, and other such like exercises, in private places and families, whereunto others do resort, being not of the same family, be utterly inhibited, seeing the same was never permitted as lawful under any Christian magistrate, but is a manifest sign of schism, and a cause of contention in the Church.

"That none be permitted to preach, read, or catechise, in the Church or elsewhere, unless he do four times in the year (at the least) say service, and minister the sacraments according to the book of Common Prayer.

"That all preachers, and others in ecclesiastical orders, do at all times wear and use such kind of apparel as is prescribed unto them by the book of advertisements, and her majesty's injunctions *anno primo*.

"That one kind of translation of the Bible be only used in public service, as well in churches as chapels, and that to be the same which is now authorised by the consent of the bishops.

"That from henceforth there be no commutation of penance but in rare respects, and upon great consideration, and when it shall appear to the bishop himself that that shall be the best way for winning and reforming the offender; and that the penalty be employed either to the relief of the poor of that parish, or to other godly uses, and the same well witnessed and made manifest to the congregation. And yet if the fault be notorious, that the offender make some satisfaction, either in his own person, with declaration of his repentance openly in the church, or else that the minister of the church openly in

WIIIT-
GIFT,
Abp. Cant.

the pulpit, signify to the people his submission and declaration of his repentance done before the ordinary, and also in token of his repentance, what portion of money he hath given to be employed to the uses above-named.”

586. *Orders for the better increase of Learning in the inferior Ministers, and for the more diligent Preaching and Catechising.*

“Every minister having cure, and being under the degrees of master of arts, and barrister of law, and not licensed to be a public preacher, shall, before the 2nd day of February next, provide a Bible, and Bullinger’s ‘Decads,’ in Latin or English, and a paper book, and shall every day read over one chapter of the holy Scriptures, and note the principal contents thereof briefly in his paper book; and shall every week read over one sermon in the said ‘Decads,’ and note likewise the chief matters therein contained in the said paper; and shall once in every quarter (viz., within a fortnight before or after the end of the quarter,) show his said note to some preacher near adjoining to be assigned for that purpose.

“Item. The bishop, archdeacon, or other ordinary, being a public preacher, shall appoint certain grave and learned preachers, who shall privately examine the diligence, and view the notes of the said ministers, assigning six or seven ministers, as occasion shall require, to every such preacher that shall be next adjoining to him, so as the ministers be not driven to travel for the exhibiting their notes above six or seven miles (if it may be); and the said preachers shall, by letters or otherwise, truly certify to the archdeacons, or other ordinary of the place, themselves being public preachers, and resident within or next to their jurisdictions, and for want thereof to the bishop himself, who do perform the said exercises, and how they have profited therein, and who do refuse or neglect to perform the same. The archdeacons, and others receiving the said certificates, shall certify the same once a year to the bishop, and that about Michaelmas.

“Item. That such as shall refuse to perform the exercises, or shall be negligent therein; and shall not, after admonition by the bishop, archdeacon, or other ordinary aforesaid, reform himself, if he be beneficed, shall be compelled thereunto by

ecclesiastical censure: if he be a curate, shall be inhibited to officiate within the jurisdiction.

ELIZA-
BETH.

“It is concluded, that the exercise above written, and no other, shall be henceforth publicly or privately used within any part of this province.”

Secretary Walsingham, as hath been observed, was the Dissenters' friend. This gentleman thought the three articles somewhat of a grievance, and that the subscription might fairly be waved. He considered every man's conscience could not come up to the same sentiment; and that some allowance might be made for prejudice of education, for weaker understandings, and lower degrees of improvement: that this was his opinion appears by his sending one Leverwood, a minister, to Lambeth, with a recommending letter. Here he desires the archbishop not to insist upon extremities, but to relax a little in favour of this minister, and admit his subscription upon the terms inclosed.

Secretary Walsingham moves for indulgence to subscription.

Id. p. 162.

Whitgift, in his answer to the secretary's letter, acquaints him, “that partly at his instance, he had forborne offering the test of the three articles to any persons already beneficed, and that the subscription was put to none but those who came either for orders or institution. That as to Leverwood's case, the dispensing in a single instance would weaken the constitution, and bring others to an expectation of the same indulgence. That his offer to subscribe the articles was short and evasive. For first he promises to subscribe as far as the law requires him: his meaning must be, the law requires no such subscription; for into this opinion some lawyers have misled him. Farther, he promises to officiate with the Common Prayer, and with no other book. But here he covers himself with another reserve, and stipulates for a liberty of using only so much of the Liturgy as he has a mind to. And that this was his meaning, appeared by his answer to several questions the archbishop put to him. So that in fine, such a qualified imperfect subscription would be to little purpose.”

The archbishop keeps close to the constitution.

Idem.

The archbishop being thus inflexible, and steady to the constitution, some of the courtiers made an essay upon the Dissenters. They tried to bring this party to a temper, and draw some concessions from them, that this lessening the differences, and advancing towards the establishment, might set the Conformists more at ease, and make way for an accommodation.

The lord Burleigh's motion to the Dissenters.

WHIT-
GILT,
Abp. Cant.

And here the lord Burleigh made the first proposal. This nobleman, upon some complaint against the Liturgy, bade the Dissenters draw up another, and contrive the offices in such a form as might give general satisfaction to their brethren. Upon this overture, the first classics struck out their lines, and drew mostly by the portrait of Geneva. This draught was referred to the consideration of a second classis, who made no less than six hundred exceptions to it. The third classis quarrelled the corrections of the second, and declared for a new model. The fourth refined no less upon the third. The treasurer advised all these reviews and different committees, on purpose to break their measures, and silence their clamours against the Church. However, since they could not come to any agreement in a form for divine service, he had a handsome opportunity of a release; for now they could not decently importune him any farther. To part smoothly with them, he assured their agents, that when they came to any unanimous resolve upon the matter before them, they might expect his friendship, and that he should be ready to bring their scheme to a settlement¹.

*Sir Francis
Walsing-
ham's offer
from the
queen.*

Walsingham, who was more hearty in their interest, made the next trial. This statesman endeavoured to remove their distrust, and offered them a more tempting proposal. He offered them in the queen's name, that provided they would lay down their objections, and conform in other points, the three shocking ceremonies, as they accounted them, should be discharged; that is, kneeling at the communion, wearing the surplice, and the cross in baptism, should be expunged out of the Common Prayer. To these large concessions they replied in the language of Moses, "Ne ungulam esse relinquendam." They would not leave so much as a hoof behind. Their meaning was, they would have the Church Liturgy wholly laid aside, and not be obliged to the use of any office in it. This stiff unexpected answer lost them Walsingham's affection in a great measure, as this statesman afterwards affirmed to Knewstubbs, and Knewstubbs to Dr. Burgess of Coleshill, from whom the learned Heylin had this relation.

Heylin's
Hist. Pres-
byt. lib. 7.
587.

As the Dissenters were troublesome on one hand, so on the other some bigoted Papists engaged in desperate designs. For instance, one Somerville, a Warwickshire gentleman,

¹ Lord Burleigh's sagacity and charity are equally conspicuous in this somewhat amusing manœuvre.

heated to rage and distraction by some scandalous pamphlets, made his way privately towards the queen's apartment, assaulted one or two with his drawn sword, and being apprehended, confessed he intended to kill the queen. For this treason, himself, one Edward Ardern, esq., of the same county; Ardern's wife, their daughter, married to Somerville; and one Hall, a priest, were arraigned at Guildhall, and brought in guilty. About three days after, Somerville dispatched himself in the prison; Ardern was hanged, drawn, and quartered; the women and the priest were pardoned. This last is said to have drawn Ardern into the conspiracy, and afterwards turned evidence against him.

ELIZABETH.

Dec. 16,
1583.

Camden,
Eliz.
*Harpsfield's
death and
writings.*

This year Nicholas Harpsfield died. He was bred in Winchester school, from thence removed to New-college, in Oxford, where he took the degree of doctor of law, and was afterwards archdeacon of Canterbury. In the reign of Edward VI. he quitted the kingdom, returned at that prince's death, and made a figure in the Church, under queen Mary. Soon after queen Elizabeth came to the crown, he was imprisoned for denying her supremacy. During his confinement he wrote his "Ecclesiastical History" in Latin. By this book, it appears he was a man of learning, and a master of style. He wrote six dialogues, against the centuriators and Fox's "Martyrology," in defence of the pope's supremacy, the "Monastic Institution," the "Worship of Saints and Images," &c. They were published in the name of Allen Cope; for had not the author been concealed, he might have suffered in prison upon that score. He likewise wrote "Historia Hæresis Wickliffianæ," and a treatise concerning marriage, occasioned by the divorce between king Henry VIII. and queen Katherine.

Wood,
Athen.
Oxon.

About this time, several Sussex ministers excepted to some parts of the rubric, and were suspended; but afterwards disengaged from their scruples, as appears by a letter of Mr. Aubry's in Whitgift's register.

Regist.
Whitgift,
pt. 1.
fol. 348.

The letter suggests—"That upon the 6th of December, 1583, Samuel Norden, parson of Hamsey; William Hopkinson, vicar of Salehurst; Anthony Hopton, vicar of Leominster; Thomas Underdown, parson of St. Mary's, in Lewes; John Jermain, vicar of Burfsham; Richard Wheataker, vicar of Ambrilly; John Bingham, preacher of Hadleigh; and Tho-

WHIT-
GIFT,
Abp. Cant.

mas Helye, preacher of Warbleton ; being suspended, *ab officio*, for refusing to subscribe the Book of Common Prayer, appeared before the archbishop of Canterbury, the bishops of London, Sarum, and Rochester ; and being demanded the reason of their non-conformity, their answer was, ‘ That there were several passages in the rubric which they desired to be explained.’

“ The rubrics upon which they found their exceptions are these :

“ That in the latter end of the preface set before the Catechism in the Communion-book, there are these words :—‘ And that no man shall think that any detriment shall come to children by deferring of their confirmation, he shall know for truth that it is certain by God’s Word, that children being baptized, have all things necessary for salvation, and are undoubtedly saved.’ Upon which words they moved this doubt, whether by these words the book confirmed this opinion, that the sacrament of baptism did of itself confer grace, ‘ *tanquam ex opere operato* ;’ that is, whoever is baptized, must of necessity be saved ‘ *ex opere operato*,’ though otherwise a hypocrite or infidel ?

“ Whereunto it was answered, that the book had no such meaning ; and that by these words it only dissuaded from the opinion which the Papists had of their confirmation, called bishoping ; which they believed to be necessary to salvation, and do think that children are not perfectly baptized until they be also bishopped ; and therefore they make confirmation a sacrament, and bring their children thereunto, being infants : whereas the Church of England has no such opinion thereof, but doth use it for this end specially, that children may know what their godfathers promised for them in their baptism, and also learn to perform the same ; and likewise, that it may be known that the godfathers have performed their promise in seeing these children instructed as the book requires. And therefore that rubric contains nothing in it contrary to God’s word, to the substance of religion now professed in the Church of England, as by law established, or to the analogy of faith. With which answer they were satisfied.

“ The second doubt was of this rubric in the form of baptism, ‘ Then the priest shall make a cross upon the child’s forehead.’ Here their question was, whether, by the crossing

of the child, there was made an addition to the sacrament, as a part thereof, and as though baptism were imperfect without it? Whereunto it was answered, that the book had no such meaning: and that the crossing of the child was only a ceremony significant, and a profitable circumstance, according to the words expressed in the book. With which answer they were also contented.

ELIZABETH.

“The third doubt was of these words in the book of ordering deacons and priests, &c., ‘Receive ye the Holy Ghost.’ It was answered, that the bishop did not thereby look upon himself to give the Holy Ghost, but only ‘instrumentaliter,’ even as the minister gives baptism when he says, ‘I baptize thee in the name of the Father,’ &c. Whereby he does not take upon him to be the author or giver of baptism, but the minister thereof only, as John the Baptist did, for Christ only is the giver of the Holy Ghost, and of baptism; John and others are the ministers of the sacrament, and of the ceremony.

“The words are Christ’s words, used in the admitting of the apostles into the ministry, and therefore used by us in the like action, to signify that God, by our ministry and imposition of hands, as by his instruments, doth give his holy Spirit to all such as are rightly called to the ministry. With which answer they were likewise satisfied.

“The last doubt was of baptizing by women; whereunto it was answered, that the book did not name women when it spake of private baptism; and that their subscription was not required to anything that was not expressed in the book. Upon these answers given unto them by us, they did voluntarily, and without any protestation at all, subscribe to the three articles set down for all preachers and ministers to subscribe unto. And upon this satisfaction given, their suspensions were taken off.”

This year Nicholas Sanders died in Ireland. He was born in Surrey, and educated in New-college in Oxford, where he was king’s professor of canon-law. When the times turned against his persuasion, he retired to Rome, where he was ordained priest, and commenced doctor of divinity. He attended cardinal Hosius to the council of Trent; and here, by disputing and making speeches, he raised himself a considerable character. At last he was sent nuncio into Ireland, which was looked on as a hazardous undertaking; and so it proved. For

588.

*Sanders dies
this year.
His character.*

WHIT-
GIFT,
Abp. Cant.
Pitt's de Il-
lust. Angl.
Scriptor.

Sanders
de Schism.
Angl. in
Præfat.

Cambden,
Eliz.

upon the miscarrying of his treasonable practices he was forced to abscond in the woods and bogs, where here he perished with hunger. This Sanders was a desperate rebel. His business in Ireland, as Rishton, who published his history, confesses, was to raise the natives upon the government; or, to speak in Rishton's words, to comfort the afflicted Catholics who had taken the field in defence of their religion. Cambden reports that his portmanteau, found about him when dead, was stuffed with letters and harangues to animate the Irish in their revolt. And here, amongst other things, he gave them great expectations of succours from the pope and the king of Spain.

About three years before he wrote a flaming letter to the Roman Catholic lords and gentry of that kingdom. He expostulates sharply with them for not taking arms against the government, reproaches them with their allegiance to the queen, and plays all his rhetoric to push them to rebellion. To give the reader part of this pestilent discourse. He begins with a wretched perversion of a text of Scripture.

*His treason-
able letter to
the Irish
nobility, &c.*

"Pardon me," says he, "I beseech you, if upon just cause I use the same words to your honours, &c., which St. Paul wrote to the Galatians: 'Who has bewitched ye, that ye should not obey the truth?' For unless ye are bewitched, what makes ye fight for heresy against the true faith of Christ, for the devil against God, for tyrants that seize your estates, take away your lives, and damn your souls; against your brethren, who run the utmost hazards, spend their treasure and their blood to rescue you from these miseries? What can the meaning be, that you should undergo such fatigues, exhaust your fortunes, and risk soul and body, to so remarkable a degree; and all for a wicked woman? A woman blemished in her birth, and disregarding her Christianity. For which reasons, the vicar of Christ, her lawful judge, and yours too, has deprived her of her kingdom. All Catholic princes, after intolerable provocation, have abandoned her. Several English lords and gentlemen have drawn their swords against her. Do you not see she is likely to be left without issue either to reward her friends or take revenge upon her enemies? Is she not a scandal to the throne? And, therefore, can those be true friends to the crown who do not make it their business to displace her? Are you not sensible that the next Catholic

heir (for the pope will take care there shall be no other) must reckon all those no better than traitors that spend their estates for a heretic against his title? How will you justify yourselves to the pope's lieutenant when he appears amongst you, (as he will do shortly) at the head of his holiness's forces, and those of other Catholic princes? You will then be charged with abetting heresy, and with supporting an heretical pretended queen against a public sentence of Christ's vicar. Can she, with her chimerical supremacy, take off the pope's excommunication, and absolve you from his curse? Her counterfeit supremacy, I say, which the devil instituted in Paradise when he made Eve Adam's mistress in God's matters. Is not the adhering to her interest the way to bring a blemish upon yourselves, and stain you with the suspicion of heresy and treason? And besides, if the Catholic heir lets loose the law upon you, your lives and estates are forfeited, and your families undone for ever."

ELIZA-
BETH.

After this he puts them in mind that king Henry VIII., who first began the schism, was unhappy in his issue, and that his line was extinguished. He gives another instance in the misfortune of sir William Drury, who commanded in the field against the pope's general. And after having flourished a little upon the goodness of the cause, he intreats them to open their eyes in time, to honour the Divine Majesty more than heretics, "whom hitherto," says he, "you have worshipped above God." But through this last sentence there is a line struck, and therefore it may be the expression was thought somewhat too strong. His letter is dated Feb. 21, 1580.

Life of Abp.
Parker,
Append.
num. 7.

This Sanders was particularly busy in misleading the noble Fitzgerald, earl of Desmond; helped to blow him up into rebellion; and was principally instrumental in his ruin. To conclude with him: he was almost as bad an historian as he was a subject; but, his falsehoods having been detected at large already, I shall refer the reader to that performance.

Camden,
Eliz.

On the 7th of February, John Fen, George Haddock, John Munden, John Nutter. and Thomas Hemertford, were indicted for high treason at Westminster, brought in guilty, and all executed to the rigour of the sentence. The crime they were tried for was their being made priests beyond sea by the pope's authority.

See Bp. Bur-
net's Hist.
Ref. Ap-
pend. book 3.
pt. 2. 1583-4.

Stow's
Annals.

The Irish rebels being reduced, James Fitz-Eustace, vis-

WHIT-
GIFT,
Abp. Cant.

count Baltinglass, got off into Spain, where he died with melancholy. This nobleman was strongly in the interest of the court of Rome, and joined the rebellion. To engage the earl of Ormond, who was descended from archbishop Beckett's sister, he ventured to put him in mind, that "unless St. Thomas of Canterbury had lost his life for the Church of Rome, Butler would never have been earl of Ormond." For to make some satisfaction for Beckett's death, king Henry II. had granted his ancestors a noble estate in Ormond.

Caunbden,
Eliz.

This year Thomas Watson, late bishop of Lincoln, departed this life. He was a warm Roman Catholic, and suffered for his persuasion in the reign of king Edward VI. He was preferred to the see of Lincoln by queen Mary. At the recovery of the Reformation he was imprisoned in the Tower, in the year 1559. Here he continued till the year 1582, when he was removed to Wisbeach castle, where he died. Pitts gives him the character of a famous preacher, a solid divine, and a good poet. He wrote a volume of sermons, a Latin tragedy, and some pieces of poetry.

Pitts de
Illust. Angl.
Scriptor.
A.D. 1583.

To go back a little for the Church affairs in Scotland. In October this year there was a general assembly at Edinburgh. They delivered a remonstrance to the king under several heads, some of which I shall mention.

*The assem-
bly's re-
monstrance.*
589.

They complained Papists were too much countenanced at court; and that his majesty seemed to favour the enemies of truth both in France and at home. That he had made the Church a great many fair promises, without performing any thing; and that their liberties and privileges were continually wrested from them. That the thirds were leased out to the prejudice of the Church; that abbeys were disposed of contrary to act of parliament; and no provision made for the ministers who officiated at the churches annexed. That spiritual preferments were bestowed upon children, alienated in tenure and use, and erected into temporal lordships. That his majesty interposed too far with the regale, and superseded the process of the Church in matters properly ecclesiastical. The rest of the remonstrance goes directly into the State, and complains of mal-administration.

Spotswood's
Ch. Hist.
p. 327.
MS. Acts
of the As-
sembly.

The king, who was willing to please them, returned a gracious answer the next day: he denied the countenancing Roman Catholics; but hoped they would not be too curious in their

inquiry about his servants. As to his correspondence with foreign princes, which they glanced at, he thought the assembly would not disallow a commerce of this kind for preserving the repose of the kingdom; and that difference of religion did not bar friendship, and make alliances unlawful: and whereas they complained the Church had suffered in her privileges, his answer was, that since his taking the government upon him, there had been more laws made for the service of religion than ever: that as to the alienation of the Church revenues, that grievance must be referred to the parliament; and that he should endeavour a redress to the utmost of his power. And as for his checking the jurisdiction of the Church, he was only sensible of a single instance which looked that way: and that, he conceived, was sufficiently defensible. The rest, relating to the State, shall be omitted.

ELIZABETH.

Idem.

This answer ought to have given satisfaction; but the court and ministry not being formed to the Kirk's inclination, they kept on their chagrin, and nothing would please them. And now the pulpits began to run riot: for instance, one John Dury, a minister at Edinburgh, took the freedom to justify the surprising the king at Ruthven: and being summoned before the council, he defended his treasonable discourse at first; but afterwards, upon better advice, was brought to a submission. He was kept for some time on his good behaviour.

Andrew Melvil's declamation had a worse issue. This gentleman had preached a seditious sermon at St. Andrew's, and arraigned the government in a provoking manner: he told the audience, that it was the business of the nobility and the estates of the realm to reform the abuses and mismanagement of the court: and for this he alleged several precedents, and particularly some in the reign of James III. For this disloyal invective he was ordered to appear at the council-board. But he demurred to their jurisdiction; and was so hardy to affirm, "that what was delivered in the pulpit ought first to be tried by the presbytery: and that though the expressions were treasonable, neither king nor council ought to take cognizance of them in the first instance." And after some pains had been taken with him to no purpose, the board went on to examine witnesses against him: upon this he broke out into intemperate language, and told the king "he perverted the laws both of God and man." For this misbehaviour he was ordered to

Melvil declines the jurisdiction of the council-board.

Ibid. et Refutat. Libel. &c.

WHIT-
GIFT,
Abp. Cant.

custody at Blackness; but the commitment being left to himself, he took a contrary road in the night, and made his escape to Berwick. And now all the pulpits declaimed loudly against the court: that the Reformation was struck at, and the greatest man both for learning and zeal was banished the kingdom, and forced to fly for his life.

Not long after, the earl of Gowry was apprehended, and the castle of Stirling surprised by some of his adherents. The earl was tried for high treason: one article was, the concerting this plot; he was found guilty, and executed. Several of the preachers were informed against, for corresponding with the rebels. A summons was sent to Mr. Andrew Hay, parson of Renfrew, Mr. Andrew Polwart, sub-dean of Glasgow, Mr. Patrick Galaway, and Mr. James Carmichael, to appear before the council. None but Mr. Hay made their appearance. The other three, therefore, being proclaimed traitors, fled into England.

Spotswood's
Ch. Hist.
May 22,
1584.

*Several acts
of parliament
made
against the
seditious
preachers.*

At the parliament held now at Edinburgh, his majesty's declaration concerning the treasonable attempt at Ruthven was confirmed. There was likewise an act made to check the late misbehaviour of the preachers. The preamble runs thus:—"Forasmuch as some persons being lately called before the king's majesty, and his secret council, to answer upon certain points to have been inquired of them concerning some treasonable, seditious, and contumelious speeches uttered by them in pulpits, schools, and otherwise, to the disdain and reproach of his highness, his progenitors and present council, contemptuously declined the judgment of his highness and his council, in that behalf, to the evil example of others to do the like, if timous remedy be not provided."

By the enacting part, the king's authority over all persons, as well spiritual as temporal, is confirmed. The declining to submit to the cognizance of the king and council in all matters whatever, is made treason: the impugning the dignity and authority of the three estates in parliament, is forbidden under the same penalty. All jurisdictions, spiritual or temporal, not approved by the king and parliament, are abolished and discharged. "It is likewise enacted, that no subjects, spiritual or temporal, of what quality soever, presume to convene themselves for holding conventions or assemblies to treat or consult upon any matters, civil or ecclesiastical, (excepting in the ordi-

nary methods of justice) without a special licence from his majesty: and that none, of what function, quality, or degree whatsoever, shall presume privately or publicly, in sermons, declamations, or familiar conferences, to utter any false or slanderous speeches, to the reproach and contempt of his majesty, his council and proceedings, or to meddle in the affairs of his highness's administration, under the penalty contained in the acts of parliament against makers and tellers of leasing."

ELIZABETH.

James 6.
parl. 8.
cap. 129.
131. 134.
That is, lies.

By another act, all parsons, ministers, or readers provided to benefices since his highness's coronation (not having vote in the parliament), suspected culpable of heresy, papistry, erroneous doctrine, common blasphemy, fornication, non-residence, (that is, not residing within the parish, but absent from it, and from the kirk and his office for four Sabbaths in the year, without leave from his ordinary) and plurality of benefices having cure, are to be deprived: but here the clause of non-residence does not reach to those of the king's council, to those who are lords of the session, nor to such as are absent on his highness's service. To proceed: simony and dilapidation are added to the rest. Thus any clergyman not within the saving clauses found guilty by the bishop of the diocese, or the king's ecclesiastical commissioners, of the crimes above mentioned, is to be stripped of his office and benefice.

Ministers to be deprived, for what crimes.

590.

"It is farther enacted, that no ministers shall accept or execute any place of judicature, civil or criminal, or be clerks or notaries (except in making of testaments), under the pain of deprivation from office and benefice."

James 6.
parl. 8.
cap. 133.

And to conclude with this parliament, "Master George Buchanan's Chronicle," and his book "De Jure Regni apud Scotos," "are declared to contain sundry offensive matters worthy to be deleted or expunged." It is therefore statuted and ordained, "that every person that has either or both those books, shall deliver them to the lord secretary, or his deputies, within forty days, under the penalty of forfeiting two hundred pounds Scots."

James 6.
parl. 8.
cap. 133.
Buchanan's books censured in parliament.

The reason why these books are ordered to be delivered into the secretary's office is, "that they may be purged of the scandalous passages, not being fit to remain as records of truth to posterity."

James 6.
parl. 8.
cap. 134.

Most of these statutes were unacceptable to the ministers.

WHIT-
GIFT,
Abp. Cant.

*The Church
endeavours
to hinder the
passing these
bills, but to
no purpose.
He that car-
ried this title
now was one
Stewart, of
the family of
Lenox.*

*Pont, a
minister,
declares
publicly
against the
legality of
these acts of
parliament.*

Spotswood's
Ch. Hist.

*The king's
declaration.*

A.D. 1584.

*The court
libelled.*

Therefore while the bills were debating in the house, they endeavoured to hinder their passing, or at least to get them postponed. To this purpose, Mr. David Lindsay was sent to entreat the king, that no act in which the Church was concerned, should pass till the assembly was heard. The earl of Arran, being informed of his design, put him under an arrest, and prevented his addressing the king: his holding correspondence with England was the pretence for confining him. Lawson and Balcanquel, ministers of Edinburgh, hearing of Lindsay's commitment, deserted their charge, and retired into England. They left a paper behind them by way of apology for going off. Mr. Robert Pont, minister of St. Cuthbert's, and one of the lords of the session, entered a public protestation against the acts above-mentioned. This instrument, drawn up in form, he put into the hands of a notary, when the herald, according to custom, was proclaiming the acts. His protestation set forth, that the Church had no due consideration in the passing these acts, and therefore they were not bound by them. For this bold challenge he was turned out of the college of justice, and proclaimed traitor.

Upon this, reports were spread that the king was gone over to popery: that several acts were made to check the course of the Gospel, and to suppress all good order and polity in the Church. To prevent these discourses from making an impression, the king set forth a declaration, in which the reasons for making these statutes are recited. Amongst the motives which forced the king upon this provision, these following are reckoned, viz.: "The approbation of the Ruthven conspiracy by the assembly; Andrew Melvil's refusing to be tried at the council-board; the fast kept at the entertainment of the French ambassadors; fasts ordered by the Kirk for the whole kingdom, without the king's leave or knowledge; ecclesiastical jurisdiction usurped by ministers and lay gentlemen; altering the laws at their pleasure, and many other resembling abuses. And to give farther satisfaction, several articles were annexed to the declaration, to shew the king's adherence to the religion established; and that he intended nothing more than bringing the Church under an uniform and unexceptionable regulation."

But these apologetics were little regarded: invective answers came out, the court was pelted in prose and rhyme, and great clamours were made, that all the preachers at Edinburgh

were menaced with hardship, and forced to fly. To quiet the people at this quarter, the king ordered his court clergy, Mr. John Craig, and Mr. John Duncanson, to preach in the city. Not long after the refugee ministers sent a letter to the session of the Church and common council of Edinburgh, to this effect.

ELIZABETH.

“That being sensible their absence would be misinterpreted, and a great many calumnies thrown upon them, they thought it necessary to acquaint them with the reasons of their withdrawing. And here they complain of the injustice of the late acts of parliament; and that they were plainly repugnant to the word of God. The articles offered to some ministers for submitting to episcopacy, was another grievance: this they call a tyrannical government, and salute the bishops in the language of gross libertines, and infamous belly-gods. They declaim against the order sent to the provost and bailiffs of Edinburgh, to apprehend all ministers that met at the eldership, or that delivered any thing in pulpits, or elsewhere, against the statutes and administration: that in case they took their usual freedom, they were threatened their heads should be laid at their heels. These things put them under great difficulties: for the plain dealing of their function could not be forborne without wronging their commission, and being false to God. Neither on the other side could they use the liberty of their character, without being reckoned traitors to the king, and exposing their flock to the danger of maltreating their pastors. And therefore, after a long debate with themselves, they found it was the best way to withdraw, and wait for better times. In the close, they exhort the burghers to adhere to their doctrine, and recollect the precautions they had given them, that wolves would intrude, and teachers be put upon them, which sought themselves, and not Jesus Christ.

The refugee ministers' remonstrance against the government.

The king, being much displeased with this letter, had an answer drawn up, with orders to the session and common council to sign it.

Spotswood, Church History.

They receive an unacceptable answer.

The answer charges the refugees with great misbehaviour in their letter. The sessions and common council blame them for reflecting so undutifully upon the acts of parliament: that as for themselves, they found nothing in these statutes but what was agreeable to the word of God; and that therefore they were resolved to follow the apostle's command, and be

Rom. xiii.

WHIT-
GIFT,
Abp. Cant.

591.

subject to the higher powers. They censure the refugees for quitting the kingdom unprosecuted and unmenaced: that their withdrawing without acquainting their flock, argued a consciousness of guilt, and was a breach of the conditions made between them: and that by their letter they had drawn the suspicion of the government upon them, as if they corresponded with fugitives and rebels: for these reasons they disown all relation to the refugees, renounce their pastorship, thank God for discovering the ill qualities of these guides, and for rescuing them from the danger of such wolves.

Idem.

Aug. 22,
A. D. 1584.

The subscribing this answer by the common council and session of the Church, was somewhat of a touchy business. To stick such reproaches upon their ministers, and sign them fugitives, rebels, and wolves, they thought would be censured as a cowardly compliance. On the other side, being afraid to stand the king's displeasure, sixteen of the chief, after some contest, put their hands to the letter. When the refugees read the answer, they were much disturbed at so unexpected a return.

Jan. 6.
parl. 9.
cap. 5.

At another parliament held at Edinburgh this summer, eating of flesh on Wednesdays, Fridays, Saturdays, or in Lent, is forbidden all persons, under the forfeiture of their moveable goods to the king's use.

*A clash between lord
Hunsdon
and Walsingham.*

Cambden,
Eliz.

The beginning of this year the earls of Angus and Marr, the lord Glamis, and some others who surprised Stirling, were forced to quit that place, and retire into England. These men being demanded as traitors by the king of Scots, were sheltered by Walsingham. This secretary wrote that they might be put ashore upon Holy Island, for their better security. But the lord Hunsdon, governor of Berwick, did not think fit to trust these Scots with such a parcel of the English dominions; and therefore refused to take notice of the secretary's dispatch, without express orders from the queen. This occasioned a dispute betwixt Walsingham and the lord Hunsdon, in which the latter seems to have carried his point; for the refugees were not suffered to enter the Holy Island. However, the queen thought fit to show them some favour, to balance the contrary faction in Scotland. For the preachers of that nation gave out, the king was upon the point of renouncing his religion: though they had no colour for this calumny, excepting his natural affection to the queen, his mother, and his confiding mostly in those he thought firm to her service.

This year sir Walter Mildemay, fifth son of Thomas Mildemay, of Chelmsford, in Essex, founded Emanuel-college, in Cambridge. The site belonged formerly to the Dominicans, or preaching friars, where, in the year 1280, they had a convent founded by the lady Alice, countess of Oxford, daughter and sole heir to Gilbert lord Sanford, hereditary lord chamberlain of England. This college was so much improved in revenue by succeeding benefactions, that in the year 1634 it subsisted a master, fourteen fellows, fifty scholars, and ten poor scholars; which, taking in other students, officers, and servants, amounted to the number of 310.

ELIZABETH.

About this time, Francis Throgmorton, eldest son of John Throgmorton, justice of Chester, was seized and charged with an attempt for enlarging the queen of Scots, with some other articles. He was twice set upon the rack in the Tower, and at the last torture confessed several things he afterwards denied at his execution.

Fuller's
Hist. Uni-
ver. Camb.
p. 146.

Item.

Soon after his commitment and being racked, Thomas lord Paget, and Charles Arundel, esq. withdrew privately into France. And here, with other English Roman Catholics, they complained of the rigour of the government; that by the ill offices of Leicester and Walsingham, the queen was displeased with their party, without provocation; that they were treated with the last degree of contumely and hard usage; that snares and unusual methods to surprise them, were daily invented; that by these contrivances they were drawn within the law, and hampered in treason, without anything to deserve it; and that, in short, there were no hopes of security in their own country. Neither was this complaint altogether without reason, for it is certain setters were employed, and a great deal of art used to dive into people's secrets; letters were counterfeited, as if written by the queen of Scots, and left in Roman Catholics' houses, and emissaries posted almost everywhere, to catch up discourse and misreport conversation; and, besides, informers were encouraged in improbable stories; and thus a great many were brought under suspicion for practising against the state, and several persons of quality examined and confined, upon slender informations.

*The Papists
complain of
hard usage.*

However, Cambden endeavours to justify all this credulity, and stretch of management. He observes, the Papists had discovered themselves mal-intentioned to the queen; that a book was published to push some of the court ladies upon serv-

Cambden,
Eliz. p. 354.

WHIT-
GIFT,
Abp. Cant.

ing her majesty as Judith did Holofernes. Who wrote this desperate pamphlet was not discovered; but one Gregory Marten, educated in Oxford, and a person of learning, was suspected for the author.

*The queen
displeased
with the
rigours of
the magi-
stracy.*

Notwithstanding this provocation, the queen, who was willing to leave the memory of a gentle reign behind her, was very angry with the magistracy and judges for treating the Papists with so much rigour¹. Some of those concerned in the cognizance of these matters, thought it necessary to publish a paper in their vindication. In this defence, they protested the priests had milder usage than they deserved. That they were never put to the question upon the score of their religion; but only when they lay under violent presumptions of practising against their country and prince. That Campian was never racked to that degree as to hinder him from walking, or signing his confession; that Briant obstinately refusing to declare who wrote the letters in cypher found upon it, was denied meat and drink until he asked for it in writing. But the queen not being satisfied with this apology, ordered the judges and the other magistracy to forbear racking, and other punishments; and not long after, seventy priests, some of which were condemned, and all of them under prosecution, were set at liberty, and banished. Amongst these, the most considerable were Gaspar Heywood, son of the famous epigrammatist, and the first Jesuit who set foot in England; James Bosgrave, another of the same order; John Hart, a very learned divine, and Edward Rishton, who published "Sanders' History," and made a supplement to it. This last, it must be said, did not make the queen a suitable return for giving him his life.

Idem.

Idem.

To proceed: Throgmorton's confession, though denied with his last breath, was generally believed; and some papers were taken upon Chreicton, a Scotch Jesuit, on his way to Scotland. These papers, though torn and thrown into the sea, were unexpectedly recovered. They were afterwards brought to Wade, clerk of the council, who with great dexterity set them together. Whether they were in cypher or not, is unrelated by Cambden. He only relates an expedition concerted against England by the pope, the Spaniard, and the Guises.

¹ Perhaps Elizabeth at last began to perceive, that in politics, as in physics, action and re-action are equal, and that all overbearingness in any one denomination elicits as much among its antagonists; so that it is always sooner or later paid back in its own coin.

And now the people's fears were generally alarmed, and discourses spread of a formidable invasion. From hence the earl of Leicester took an occasion to set an association on foot for the queen's preservation. It was signed by men of all ranks, who engaged to pursue those to death who should attempt any thing against the queen.

ELIZABETH.

592.

The queen of Scots perceiving herself struck at by this association, being tired with hard usage, and expecting worse, sent her secretary Nave to the queen and council with large overtures. She promised, "that upon condition she was set at liberty, and received any proof of the queen's friendship, she was ready to enter into a close correspondence with her majesty, to treat her with particular marks of regard, to forget all misunderstandings between them, to own her rightful queen of England, to renounce all claim to the crown of England during her life, to attempt nothing either directly or indirectly against her, to declare against taking any manner of advantage from the pope's excommunicating bull, to sign the late association for her majesty's security, and conclude a defensive league with her; with a saving, however, of the old alliance between Scotland and France. But then these proposals were made, that neither during queen Elizabeth's life, nor after her death, any thing should be done in prejudice, either of her own right, or her son's, to the crown of England, before they had a hearing in the English parliament. For the security of these articles, she was willing to continue a hostage for some time in England. Or if she might have the liberty of going out of this kingdom, other hostages should be given. As for Scotland, she engaged to make no alterations there, provided herself and her family might have the freedom of their own religion; and that she would pass an act of oblivion to indemnify the Scots against all outrages and indignities put upon her: that she would recommend such a council to her son as were best disposed to keep fair with England: that she would endeavour to reconcile him to the noblemen lately fled into England, provided they made a humble submission, and queen Elizabeth would engage her honour to assist the crown, if they happened to go off from their duty: that she would not treat a marriage for her son, without pre-acquainting queen Elizabeth: and since she intended to do nothing without consulting her son, she desires he may be joined with her in this treaty for a firmer establish-

The queen of Scots' overture to queen Elizabeth.

Idem.

WHIT-
GIFT,
Abp. Cant.

ment. And as for the king of France, she did not doubt his coming in as a party, and that he would likewise engage the house of Lorrain in the same stipulation."

She desired a speedy answer might be returned, and that her confinement might be somewhat enlarged for a farther discovery of the queen's friendship.

Queen Elizabeth seemed extremely pleased with these terms, and, it was thought, was not averse from releasing her royal prisoner, though a great many new dangers were suggested to fright her from this humanity. However, the accommodation

*The accom-
modation
dashed by
the clamour
of the Scotch
ministers,
&c.*

went on, but when it was almost finished, the Presbyterian Scots appeared violently against it, and perplexed the matter. The refugee ministers made a hideous clamour in some of the pulpits in London. They cried out, that if the queen of Scots were set at liberty, her majesty of England's reign would be short: that if queen Mary were allowed to govern jointly with her son, both kingdoms were ruined: and that there would be an end of the true religion in Britain, if Popery were indulged that princess, though only in her private family. Neither was the queen the only subject of their satire: they treated the young king with such extremity of language, that upon the Scotch ambassador's complaint, the bishop of London was commanded to silence all the Scotch about the city: and the same order was sent to the rest of the bishops. However, they carried on their designs another way, and endeavoured to scatter their sentiments amongst the English. Some of these

Idem.

July 1584.

Scotch preachers went to the Act in Oxford, where Gellybrand and his brethren entertained them with great friendship and regard. And here a very remarkable question was put by the Scotch preachers, and some English of the same complexion: it was concerning the proceeding of the minister in his duty without the magistrate's assistance, or waiting for his approbation. The question seems to have been resolved for the independence of the Church. For this was the opinion of the Presbyterians, both Scotch and English. And if this doctrine had been granted, made inoffensive to the state, and not run out to an "evangelium armatum," all had been well. But that these men moved in a wider compass, and had some dangerous enterprise in hand, may partly be collected from Gellybrand's letter to Field; his words are these:

A combina-

"I have already entered into the matters whereof you write,

and dealt with three or four several colleges, concerning those among whom they live. I find that men are very dangerous in this point; generally favouring reformation, but when it cometh to the particular point, some have not yet considered of these things, for which others in the Church are so much troubled: others are afraid to testify any thing with their hands, lest it breed danger before the time. And after: many favour the cause of reformation, but they are not ministers, but young students, of whom there is good hope, if it be not cut off by violent dealing before the time. As I hear by you, so I mean to go forwards, where there is any hope, and to learn the number, and to certify you thereof."

ELIZABETH.

tion practised amongst the Dissenters.

Bancroft's Dangerous Positions, lib. 3. p. 74.

Their national synod at London.

Jan. 26, 1584.

Feb. 2, 1584.

Nov. 29, 1584.

Idem.

At the meeting of the parliament this winter, the Dissenters held a national synod at London, pursuant to their former resolution and synodical discipline. That this was matter of fact, appears by three letters. The first from eleven Essex ministers to Field, in which they desire to be certified, whether the brethren "meant to be exercised in prayer and fasting, and upon what day?" The second was from nine of those ministers to Field and Clerk, where they write thus: "We have elected two godly and faithful brethren, M. Wright and M. Gifford, to join with in that business." The third from Gellybrand to Field; in which he owns himself guilty of a great omission in these words: "Touching my departure from that holy assembly without leave, &c. I crave pardon both of you and them, &c., and thus commending this holy cause to the Lord himself, your godly council and the president thereof, I take my leave."

And that this party was not without friends in the house of Commons, appears by several bills, and other transactions in parliament.

The houses met November the 23d. And on the 14th of December three petitions in favour of the Dissenters were laid before the house by sir Thomas Lucy, sir Edward Dynmoock, and Mr. Gates. What matter they contained the reader will be informed in a larger address by and by. The same day Dr. Turner, a member of the Commons, put the house in mind of a bill and book which he had formerly laid before them. It was drawn, he said, by certain godly and learned ministers, and tended, as he conceived, to the glory of God, her majesty's preservation, and the public benefit; and therefore prayed it might be read.

A. D. 1584.
The Book of Discipline moved to be read in the house of Commons, but rejected.

593.

WHIT-
GIFT,
Abp. Cant.

Now the book which Turner moved might pass the house, was "A Book of the Form of Common Prayers," &c. and contained the sum of the Dissenters' discipline. Their petition in behalf of it was this: "May it therefore please your majesty, &c. that it may be enacted, &c. that the book hereunto annexed, &c. entitled 'A Book of the Form of Common Prayers, Administration of Sacraments,' &c. and every thing therein contained, may be from henceforth authorised, put in use, and practised throughout all your majesty's dominions." From hence it appears these addressers, at least, saw the necessity of a stated form for Divine service, and did not think it fit to leave every minister to his extemporary effusions. But they did not keep firm to this resolution: for the general rule in their rubric is, that the minister shall either pray by the form there prescribed, or else as the Spirit of God shall move his heart, governing his devotion with respect to time and occasion.

Bancroft's
Dangerous
Positions,
book 3.
p. 96.

Bancroft's
Sermon at
St. Paul's-
cross, p. 55.

To return: against this motion in the house for the "Dissenters' Form of Common Prayer," sir Francis Knolles, treasurer of the household, delivered himself in few words: He was seconded by sir Christopher Hatton, vice-chamberlain: this gentleman dilated upon the subject, and argued with so much force, that the house came to a resolve against reading either the bill or the book. As to the book, it was the Presbyterian scheme for discipline already mentioned.

D'Ewes'
Journal.

This month, at the instance of some of the council, the two archbishops and the bishop of Winchester received some ministers' objections against conformity, and returned them a sufficient solution. However, the earl of Leicester, being willing to afford the Dissenters the utmost advantage, and it may be imagining the cause had not been fully argued, desired the archbishop the controversy might be farther debated at Lambeth. Whitgift agreed: the Dissenters employed their best managers, and the conference lasted four hours. And now the earl of Leicester and the minister of state declared themselves surprised at the issue of the dispute: that they did not expect such clear principles, and such force of persuasion, on the archbishop's side, nor such trifling exceptions, and so weak an opposition from the other party. And thus, seeming fully satisfied with Whitgift's arguing, they promised to acquaint the queen how matters passed: and, over and above, endea-

*A conference
at Lambeth
between some
of the bishops
and the Dis-
senter.*

voured to persuade the Dissenters to conformity: but they did not hold long under this disposition.

On the 25th of February, sir Francis Knolles, treasurer of the household, made a report of the Lords' answer to the Commons' petition in favour of the Nonconformists. It is digested under sixteen articles. The title stands thus:

ELIZABETH.

Archbishop
Whitgift's
Life, by Sir
George
Paul.

The humble Petition of the Commons of the lower House of Parliament, to be offered to the consideration of the right honourable the Lords spiritual and temporal of the higher House.

I. The first article mentions, that whereas it was enacted in the 13th of the present reign, that none should be made a minister unless he was able to give an account of his faith in Latin to the ordinary, pursuant to certain articles passed in a synod held in the year 1562, or unless the person to be ordained had a special talent for preaching: they desire their lordships to consider, whether provision should not be made, that those persons who have been since ordained upon lower qualifications, should be suspended, unless they are able to stand the test of the statute.

The Commons petition the Lords in favour of the Dissenters.

II. The second article is in a manner coincident with the first, and may be omitted.

III. The third article sets forth, that the form of ordination of priests, confirmed by act of parliament, directs, that those who are taken into the ministry should be put in mind that they are pastors and watchmen, God's stewards and messengers; they desire therefore their lordships would consider for some good expedient, that none may be admitted to the ministry, but such as are sufficiently furnished for so high and solemn a function.

IV. Since it is appointed in the ordinal, that the bishops, with the priests then present, shall lay their hands upon every person ordained, without mentioning the number of priests required to be present: and since, by a statute made in the reign of king Henry VIII., every bishop is obliged to have six chaplains at giving orders; the Commons therefore desire it may be considered, whether it is not convenient to make a provision, that no bishop shall ordain any minister of the word and sacraments, without the assistance of six ministers at least; and that none may be pitched on for such an assistance excepting such as have a fair character for life, learning, and

21 Hen. 3.
cap. 13.

WHIT-
GIFT,
Abp. Cant.

residence: that they testify their joining with the bishop in this ceremony, by subscribing some instrument for that purpose. And, lastly, that the ordination be publicly performed, and not in any private house or chapel.

V. The fifth article petitions, that none may be ordained for the future, except those who have either a benefice with cure of souls, or the offer of being entertained as a preacher in some parish, or a graduate, fellow, or scholar, of some university.

VI. That none be instituted, collated, or admitted to a curacy, without competent notice given to the parish where they are to officiate; that the people may have time to inquire into the regularity of the person: and, in case they find any blemishes and failings, they may discover it to the ordinary.

VII. That no oaths may be required of the clergy, either at ordination, institution, &c. excepting such as are expressly enjoined by the statutes of the realm, and an oath against simony.

VIII. They desire no minister may be prosecuted either in the ecclesiastical or temporal courts, for any small omissions, either in ceremonies or reading the Common Prayer.

IX. That ministers for the future may not be called before officials and commissaries, to answer complaints touching doctrine and conformity; but that such may be examined by the archbishops and bishops, that the cause may be tried, and the censure managed with as little prejudice to the credit of the person complained of, as may be.

594. X. That the bishops would restore such godly and learned preachers as have been suspended or deprived, for no other crime but their refusal to subscribe such articles as have been lately put to them; or, if this favour may not be allowed, they may have the liberty at least of preaching in other places to which they are invited.

XI. That the bishops would please not to examine godly and learned preachers upon the oath *ex officio*; nor press them to answer questions to accuse themselves, but proceed only upon articles of information: and that her majesty's commissioners for causes ecclesiastical may be required to manage in this method, and not to cite any minister out of his diocese, unless for some remarkable misbehaviour at the instance of the ordinary.

XII. That the exercises of prophesying may be allowed within every archdeaconry, upon regulations set by the ordinary.

XIII. That whereas complaint is made of the abuse of excommunications, as well in regard of the grounds and causes upon which it is pronounced, as of the persons who execute the sentence, they desire their lordships would please to consider, whether a bill might not be brought in to this effect, viz. That in cases of property, contempt, &c. the party cast or offending, may be pronounced contumax, instead of excommunicated; and if after such denunciation the party shall not give satisfaction within forty days, that then his contumacy should be certified into the Chancery, and a writ “de contumaci capiendo” awarded; and this writ to have the same force and effect with that “de excommunicato capiendo.” They propose this expedient to guard the solemnity of excommunication, and keep this highest censure from being contemned.

XIV. Since it is not fit the Church should be disarmed of the power to excommunicate, they would have a proviso thrown in, that the sentence may be executed upon incest, adultery, and such scandalous crimes, by the bishops themselves, with the assistance of grave persons; or at least by some of the clergy, with the like assistance: and that this sentence should not be decreed by chancellors, commissaries, or officials.

XV. That provision may be made against pluralities and licences for non-residence.

XVI. That in case such faculties are still continued, none may be permitted the advantage of a licence for non-residence, unless he furnishes the parish with an able and sufficient preacher to officiate in the cure: and that no curate may be suffered to continue that employment, unless he is qualified to preach, performs that office every week, and instructs the youth in the Church Catechism¹.

D'Ewes's
Journal of
the House
of Com-
mons.

Thus much for the petition. The substance of the Lords' answer, delivered to the committee of the Commons by the lord treasurer and the archbishop of York, is as follows. The treasurer's answer was short and general: he said, “It was the opinion of the Lords, that many of the articles proposed by the Commons were unnecessary; that provision was made for the rest; and that uniformity in divine service was settled by parliament.”

¹ A very excellent proposal in order to mitigate the abuse of non-residence and pluralities, by so many worthy divines declared indefensible, except on the plea of a necessity, which legislation might remove.

WHIT-
GIFT,
Abp. Cant.

The archbishop of York's answer was larger, and more particular. The two first articles he conceives ought not to pass; and to answer their main objection, he replies, that in such parishes where sufficient preachers were wanting, divine service and good homilies were commonly read: and this it seems he thought sufficient for the people's instruction. He grants the necessity of the third article, but wholly disagrees to the fourth. The fifth article suggested for preventing a *ministerium vagum*, he was willing to allow; but he thought it ought to be drawn with some farther savings: for, as it was penned already, he believed it might reach too far, and affect deans, &c. The sixth article he wholly disallowed; in his opinion it was tinged with popularity, and might occasion a great deal of squabble and misunderstanding. The seventh article he altogether disliked, and declared for lawfulness, and public benefit of the subscription complained of. The eighth and ninth articles he disallowed throughout, because the liberty desired would free their ministers from all kind of jurisdiction, and make them in a manner independent of Church and State. The tenth article he could not agree to, because deprivation was frequently necessary *in terrorem*; and that the party deprived might make his submission, and recover his preferment. The eleventh article he disliked, which is all that is entered upon the journal. The twelfth article he thought necessary, and would take order for such exercises: but here the rest of his reply fails by the negligence of the clerk of the house of Commons. The thirteenth and fourteenth articles he confessed, required no more than what seemed reasonable; and yet upon a close inquiry would be found not without inconvenience. For if excommunication must not proceed upon contumacy, and other instances of misbehaviour, though small in themselves, an unpractised censure must be brought into the Church, which would draw a great deal of innovation along with it. He added farther, that excommunication in these cases was used for the same purpose with outlawries and attachments in the temporal courts; it was only to try the cause, and bring the parties to their answers; who upon their appearance are absolved of course. However, he promised that himself, and the rest of the bishops, would be particularly careful in this matter; and that for the future no excommunication should be sent out, excepting for adultery, or some other

scandalous crime; or for those contumacies, against which there could be no remedy any other way. The archbishop has hitherto delivered the sense of all the bishops, as he declares himself. As to the fifteenth and sixteenth articles he professed he would never for the future allow of any pluralities for life. He told them farther, that the lords spiritual approved their proviso; and that when any temporary dispensations were granted, care should be taken for unexceptionable curates.

ELIZABETH.

Idem.

The association above mentioned was passed into an act this parliament, and pointed directly upon the queen of Scots.

The association enacted.
27 Eliz.
cap. 1.

There was likewise an act made against Roman Catholic priests and jesuits, who practised sometimes against the State upon the excommunicating bull of Pius Quintus: they are ordered by the statute to depart the kingdom within forty days, and not to return under the penalty of high treason. This last clause has some proviso mentioned in the act. To proceed: those who knowingly receive, support, and entertain any of these priests and jesuits, are made guilty of felony. All seminary priests or religious¹, who within six months after proclamation do not return, submit themselves to her majesty, and take the oath of supremacy either before the bishop of the diocese, or two justices of peace, are adjudged traitors: and those who perform the conditions required, in case they do not keep themselves at the distance of ten miles from court for the first ten years, their submission is void. Those who make any remittances to seminaries, incur the penalty of a præmunire. Those who know any such priests or jesuits, and do not discover them within twelve days, are to be fined and imprisoned at the queen's pleasure. And if any justice of peace, or other officer, does not give information of any such discovery made to him within eight and twenty days, either to the privy-council, or vice-president of the north, or the marches of Wales, he was to forfeit two hundred marks. And lastly, those who sent their children to any foreign seminaries, were to forfeit an hundred pounds. This clause was only for her majesty's life.

An act enjoining Jesuits and popish priests to depart the realm.

1 Eliz.
cap. 1.

595.

The Dissenters, as hath been observed, had a considerable interest in the house of Commons. This, besides what has been already related, will farther appear from archbishop Whitgift's letter to the queen:

1 Eliz.
cap. 2.

¹ This noun adjective, "religious," as applied to Romanistic devotees, or those bound by vows, is perhaps the most awkward word in our language: it might advantageously be modified into religiousite, or religionite.

WHIT-
GIFT,
Abp. Cant.
*Archibishop
Whitgift's
letter to the
queen.*

"To the Queen's Most Excellent Majesty.

"May it please your majesty to be advertised, that notwithstanding the charge of late given by your highness to the lower house of parliament, for dealing in causes of the Church; albeit also, according to your majesty's good liking, we have set down orders for the admitting of meet men into the ministry hereafter; yet have they passed a bill in that house yesterday touching the matter, which, besides other great inconveniences (as namely the trial of the ministers' sufficiency by twelve laymen, and such like), hath this also, that if it pass by parliament, it cannot hereafter but in parliament be altered, what necessity soever shall urge thereunto; which I am persuaded in short time will appear, considering the multitude of livings not fit for men so qualified, by reason of the smallness thereof: whereas if it pass but as a canon from us, by your majesty's authority, it may be observed or altered at your pleasure. They have also passed a bill giving liberty to marry at all times of the year, without restraint, contrary to the old canons continually observed amongst us; and containing matter which tendeth to the slander of this Church, as having hitherto maintained an error. There is likewise now in hand in the same house a bill concerning ecclesiastical courts, and visitations by bishops, which may reach to the overthrow of ecclesiastical jurisdiction, and study of the civil laws. The pretence of the bill is against excessive fees and exactions in ecclesiastical courts; which fees are none other than have been of long time accustomed to be taken, the law already established providing a sharp and severe punishment for such as shall exceed the same; besides an order also which we at this present have taken amongst ourselves for the better performance thereof. I therefore most humbly beseech your majesty to continue your gracious goodness towards us, who, with all humility, submit ourselves to your highness, and cease not daily to pray for your happy estate, and long and prosperous reign over us.

"Your majesty's chaplain, and daily orator most bounded,

"JOHN CANTUAR."

This letter either found or made the queen of the archbishop's sentiment; for the bills and debates in the lower house came to nothing, and no alteration passed upon the discipline of the Church this session. On the 29th of March the

Fuller's
Ch. Hist.
book 9.
from Sir
Peter Man-
hood's Ori-
ginal.

queen made a speech to both houses, at the prorogation of the parliament. She takes notice, “that some people had been busy in finding fault with the clergy; that a censure of this kind reflected upon herself. For since God had made her an over-ruler of the Church, her negligence could not be excused, if any schism or heresy was connived at. She grants there may be some misbehaviour and omission amongst the body of the clergy; and that such miscarriage is common to all considerable offices. All which,” continues her majesty, “if you my lords of the clergy do not amend, I mean to depose you. Look you, therefore, well to your charges.”

ELIZA-
BETH.

*The queen
refuses to
suffer any
alteration
in the disci-
pline of the
Church.*

D'Ewes'
Journal,
p. 328.
A. D. 1585.

It is plain, by this speech, the queen was led into a misper-
suasion concerning the regale; she delivers herself as if she
had an apostolical commission within her dominions, and her
power was paramount to the episcopal college. The parliament
was prorogued to the 20th of May, and so on from time to time
till the 14th of December, 1586, when it was dissolved¹.

The convocation met on the 24th of November, 1584, where
little was done, excepting the granting a subsidy. On the
18th of December, John Hilton, clerk, imprisoned by the high
commission, for error, heresy, and blasphemy, was ordered to
be convented. He made his appearance on the 22d following,
and confessed the accusation, and that in a sermon at St.
Martin's-in-the-Fields, he had affirmed the Old and New
Testament are but fables; that he had blasphemed our
Saviour, and declared himself an heathen. After this, he gave
in his abjuration in writing. Upon this submission, penance
was enjoined, with an admonition premised, not to maintain
and teach any such heresies and blasphemies. As to the dis-
cipline put upon him, he was not to preach, or exercise any
part of his function, without special licence from the arch-
bishop. And, secondly, a recantation was ordered him in St.
Martin's church, where Dr. Cotton was to preach, and the
lower house of convocation was to be present. This convoca-
tion sat till the 21st of May, which was about seven weeks
after the prorogation of the parliament: from this term it was
prorogued from time to time by the queen's writ, till the dis-
solution, which happened on November the 15th, A. D. 1586.

*Hilton's re-
cantation.*

*The convo-
cation sits
several
weeks after
the proroga-
tion of the
parliament.*

¹ Queen Elizabeth seems to have entertained the same theory as Hooker respecting the regale. Collier too often forgets the doctrine enunciated by Filmer,—that the divine and patriarchal character of monarchs is superior in ecclesiastical no less than in laical relations.

WHIT-
GIFT,
Abp. Cant.
Journal of
Convoca-
tion.

The Dissenters failing of success in the parliament-house, were somewhat discouraged; Cartwright himself was willing to come towards an accommodation, and made his court by the earl of Leicester. This nobleman wrote to the archbishop in his behalf; and because this letter and the answer shows the earl's affection to the Puritans, and the archbishop's caution, the reader shall have them in their own words:—

“ MY GOOD LORD,

*The earl of
Leicester's
letter to
archbishop
Whitgift in
behalf of
Cartwright.*

“ I most heartily thank you for your favourable and courteous usage of Mr. Cartwright, who hath so exceeding kindly taken it also, as I assure your grace he cannot speak enough of it, I trust it shall do a great deal of good; and he protesteth and professeth to me to take no other course, but to the drawing of all men to the unity of the Church; and that your grace hath so dealt with him, as no man shall so command him, and dispose of him as you shall; and doth mean to let his opinion publicly be known, even in the pulpit, if your grace so permit him, what he himself will, and would all others should do for obedience to the laws established. And if any little scruple be, it is not great, and easy to be reformed by your grace, whom I do most heartily entreat to continue your favour and countenance towards him, with such access sometimes, as your leisure may permit; for I perceive he doth much desire and crave it. I am to thank your grace also very heartily for Mr. Fenne; albeit I understand he is something more opinionated than I wish him, but I trust he will also yield to all reasons; and I mean to deal with the bishop of Coventry and Lichfield to make some trial of him, for surely he is an honest man. Thus, my good lord, praying to God to bless his Church, and to make his servants constant and faithful, I bid your grace farewell.

596.

“ Your grace's very assured friend,

“ R. LEICESTER.

Fuller, from
Sir Peter
Manhood's
Originals.

“ At the Court, this 14th of July.”

“ MY SINGULAR GOOD LORD,

*The arch-
bishop's
answer.*

“ Master Cartwright shall be welcome to me at all times, and using himself quietly, as becometh him, and as I hope he will, he shall find me willing to do him any good; but to grant unto him as yet my licence to preach, without longer trial, I

cannot, especially seeing he protesteth himself to be of the same mind he was at the writing of his book, for the matter thereof, though not for the manner. I am, I thank God, not altered in any point by me set down, to the contrary: and knowing many things to be very dangerous: wherefore, notwithstanding I am content, and ready to be at peace with him, so long as he liveth peaceably, yet doth my conscience and duty forbid me to give unto him any farther public approbation, until I be better persuaded of his conformity. And so, being bold to use my accustomed plainness with your lordship, I commit you to the tuition of Almighty God, this 17th of July, 1585.

ELIZA-
BETH.

“ JOHN CANTUAR.”

This year a presbytery was set up at Hatfield Peveril, in Essex, by one Carew, a Puritan preacher. Ailmer, bishop of London, being informed of this opposite communion, summoned the preacher and several of his congregation before himself and other ecclesiastical commissioners. These men, after examination, were committed. As for Carew, his ignorance, heterodoxies, and assurance were very remarkable. He had his mission only from the people's election, despised all censures of the Church, declaimed against the Common Prayer, and denied Christ's descent into hell¹. He maintained divisions ought to be kept on, because our Saviour said, “ I came not to send peace, but a sword.” He held, “ the soul of man was part of the substance of God ;” by consequence, that the soul was infinite; and that the Deity must suffer in the fate of those that were lost. He had misled his people to an indifference for the sacrament of baptism: they said, “ it made no matter for the water, so we have the word.”

Carew, the
Pautheist.

This year a conference was held at Holyrood-house, between the king and the ministers, touching Church discipline; it is not registered in the manuscript acts of the assembly, but I found a copy of it in the Paper-office, at Whitehall, which I shall transcribe into the records.

Strype's
Life of
Bishop
Ailmer.

This year John Fecknam, late abbot of Westminster, died: the greatest part of his history having been given already, I shall only observe farther, that in the reign of queen Mary this

See Records,
num. 93.

Fecknam's
death.
Somewhat of
his cha-
racter.

¹ About this time, the profoundly learned Hugh Broughton wrote his book on Christ's descent into Hades, to prove that Hades was a general term for the world of souls, and not to be confounded with Gehenna, or Hell, the place of punishment. Our vulgar translations require correction in this respect.

WHIT-
GIFT,
Abp. Cant.

abbot did a great many good offices to the Protestants. For instance, the earl of Bedford and the present earl of Leicester were screened in some measure by him. He disengaged sir John Cheek from some difficulties, and interposed so far with queen Mary for the enlargement of her sister Elizabeth, that he suffered in his interest at court. Those of his own persuasion complained his kindness was unreturned; for upon the refusal of the oath of supremacy, he was confined, and died a prisoner in Wisbeach castle.

Fuller's
Ch. Hist.
Pitts de
Illust. Angl.
Scrip.
*The mal-
content
Scotch lords
return home,
take arms,
and are
pardoned.*

The malcontent lords, who fled into England for shelter, rallied their interest, and ventured to return into their country. At their first appearing, they raised forces, sat down before Stirling, and took it. The king, to prevent a civil war, pardoned them, and discarded Arran: and, over and above, restored them their former posts in the government. And now, a parliament being held at Edinburgh, the ministers who returned with the lords not being contented with their pardon, insisted strongly upon a repeal of the acts passed the last year against their discipline. The lords, either disliking the motion, or conceiving the thing impracticable, were willing to acquiesce under the present establishment. This passiveness was highly resented by the ministers, who charged the lords with breach of promise; and, which was more extraordinary, one William Watson, preaching before the king at Edinburgh, reproached him with mal-administration; for which misbehaviour he was committed to the castle of Blackness. But this correction was not sufficient to govern the ill manners of the rest; for one James Gibson getting into the pulpit at Edinburgh, fell into a very intemperate fit of railing. He said, "that captain James, with his lady Jezabel and William Steward (meaning the colonel), were taken to be persecutors of the Church, but that now it was seen to be the king himself, against whom he denounced the curse that fell on Jeroboam, that he should die childless, and be the last of his race." Gibson being called before the council, maintained his insolence, and was committed.

*Some of the
ministers
misbehave
themselves in
the pulpit.*

*Captain
James lately
carried the
title of lord
Arran.*

Spotswood's
Ch. Hist.
et Refutat.
Libell.

In England, archbishop Whitgift found himself embarrassed at the council-board. The earl of Leicester, and some other great men, though seemingly satisfied with the late conference at Lambeth, endeavoured to break the archbishop's measures, and support the Puritans. He complains of this ill-usage,

that he was misreported in his management, opposed from unexpected quarters, and that some of those who professed friendship did not deal clearly with him. I shall give the reader part of his letter to this purpose :—

ELIZA-
BETH.

“God knows,” says he, “how desirous I have been to have my doings approved by my ancient and honourable friends. I have done nothing of importance against the sectaries without good advice. I have answered their contentious and seditious objections, and shall I now say I have lost my labour? Or shall my just dealing with disobedient and irregular persons cause my former professed and ancient friends to hinder my just proceedings, and make them speak of my doings, yea, and of myself, what they list? In these public actions I see no cause why I should seek friends, seeing they to whom the care of the commonwealth is committed ought of duty therein to join with me. It is objected, by some, that my desire of uniformity, by way of subscription, is for the better maintenance of my book. They are my enemies that say so; but I trust my friends have a better opinion of me. Why should I seek for any confirmation of my book after twelve years’ approbation? Or what shall I get thereby more than already I have? And yet, if subscription may confirm it, it is confirmed long ago by the subscription of almost all the clergy of England before my time. I am charged with wilfulness; I hope my friends are better persuaded of me,—to whose consciences I appeal. It is strange, a man of my place, dealing by so good warrant as I do, should be so encountered; and, for not yielding, be accounted wilful. But I must be content: ‘Vincit qui patitur¹.’ There is a difference betwixt wilfulness and constancy. I have taken upon me, by the place which I hold under her majesty, the defence of the religion and the rites of the Church of England, to appease the schisms and sects therein; to reduce all the ministers to uniformity and due obedience, and not to waver with every wind. This also my place, my person, my duty, the laws, her majesty, and the goodness of the cause, require of me. And herein the lords of her highness’s most honourable privy-council (all things considered) ought in duty to assist and countenance me. But how is it

*The arch-
bishop’s ex-
postulatory
letter to the
lord trea-
surer.*

A. D. 1586.

597.

*“Vincit qui
patitur”
was the
archbishop’s
motto.*

¹ “Vincit qui patitur” is happily rendered by a modern poet thus:—

“ ’Tis suffering leaves the knowledge and the pow’r
Which says, ‘Let scorn be not repaid with scorn.’ ”

WHIT-
GIFT,
Abp. Cant.

Cyprian.

possible, after so long liberty and lack of discipline, I should perform the charge I have undertaken, if a few persons, so meanly qualified (as most of the factious sectaries are), should be countenanced against the whole state of the clergy, of greatest account both for learning, years, staidness, wisdom, religion, and honesty; and if open breakers and impugnors of the law, young in years, proud in conceit, contentious in disposition, should be maintained against their governors, seeking to reduce them to order and obedience? ‘*Hæc sunt initia hæreticorum, et ortus atque conatus schismaticorum male cogitatum, ut sibi placeant, ut præpositum superbo tumore contemnant. Sic de ecclesia receditur, sic altare profanum foris collocatur, sic contra pacem Christi, et ordinationem atque unitatem Dei rebellatur.*’ (That is, pride and contempt of superiors is the principle of mutiny, and the leading motive to heresy and schism. Thus they revolt from the Church; thus unhallowed altars are set up in foreign societies; thus the peace and unity recommended, thus the government instituted by Christ, is broken and opposed.) I must not endure,” continues the archbishop, “their notorious contempt, unless I will become *Æsop’s* block, and undo all that has been hitherto done. It is certain, if way be given to them upon their unjust surmises and clamours, it will be the cause of that confusion which hereafter the State will be sorry for. I neither fear the displeasure of man, nor the evil tongue of the uncharitable, who call me tyrant, pope, knave, and lay things to my charge I never did, nor thought. ‘*Scio enim hoc esse opus diaboli, ut servos Dei mendaciis laceret, et opinionibus falsis gloriosum nomen infamet, ut qui conscientie suæ luce clarescunt, alienis rumoribus sordidentur.*’ (That is, it is the devil’s business to bring misreports upon God’s servants, to sully their reputation and asperse their innocence.) Thus,” says the archbishop, “were St. Cyprian himself, and other godly bishops, used, to whom I am not comparable. But that which grieves me most,—that which is to be wondered at, and lamented,—is, that some of those who countenance these men, and cry out for a learned ministry, should watch their opportunity, and be instruments and means to place most unlearned men in the chiefest places and livings of the ministry, thereby to make the state of the bishops and clergy contemptible, and I fear saleable. This hypocrisy and dissembling with God and man (in

pretending one thing and doing another) goes to my heart, and makes me think God's judgments are not far off. The day will come when all men's hearts shall be opened. In the meantime I will depend upon Him who never fails them that put their trust in Him."

ELIZA-
BETH.

Most of what I have transcribed was written to the lord-treasurer Burleigh, in answer to an expostulating letter of that nobleman, in behalf of the Dissenters. By the tenor of the archbishop's defence, and his complaint of disappointment from his friends, it is easy to collect some great men endeavoured to embroil matters, and break the ecclesiastic establishment. That there was more interest than conscience in this practice; that these steps were not taken so much in favour of the Puritans as to dismantle religion in general, and make way for farther depredations upon the patrimony of the Church.

Sir George
Paul's Life
of Arch-
bishop
Whitgift.

This year sir Francis Walsingham founded a divinity lecture at Oxford. The reader was to discourse upon the fundamentals of religion, and the holy Scriptures, by way of common place, that the controversies arising from thence might be more particularly discussed. This lecture, as the university historian reports, was set up on purpose to widen the breach, and inflame the difference between the two Churches of England and Rome; for Walsingham had a strong bias towards Puritanism. To make the design bear, Dr. John Reynolds, a violent Anti-papist, was first placed in the chair. The lecture was much commended and thronged by the young students; but some people censured the foundation. They ventured to say the pretence of propagating truth was only a colour to convey Walsingham's sacrilege out of sight. For this gentleman, it seems, during the vacancy of the see of Oxford, had lopped the revenues. As for Dr. Reynolds, he made it his business to read against the hierarchy, and weaken the authority of the bishops. And thus, by the ascendant of Walsingham and their chancellor Leicester, divinity had a sort of new face at Oxford, and the first Reformation was reformed away in a great measure.

*Divinity
lecture set
up at Ox-
ford.*

To say something of Scotland. Andrew Melvil, who imagined the acts of parliament lately made for controlling the jurisdiction of the assemblies, were drawn by the archbishop of St. Andrew's, projected a revenge upon this prelate. To this purpose, he procured a sort of synod convened at St. Andrew's.

Wood, Hist.
et Antiquit.
Univers.
Oxon. lib. 1.
p. 301.

WHIT-
GIFT,
Abp. Cant.

*Adamson,
archbishop
of St. An-
drew's, cited
before a kirk
synod.*

*He protests
against their
authority,
and appeals.
A. D. 1586.*

James 6.
parl. 3.
cap. 130.

598.

This meeting consisted of a great number of barons and others of the rich laity, intermixed with the ministers. Mr. James Melvil, cousin to Mr. Andrew, opened the assembly with a speech. In this exhortation, as they call it, he bore hard upon those who suggested the acts above-mentioned, and advised the assembly to proceed against the person known to be the chief promoter. By this description he meant the archbishop. This advice was followed, and the bishop was cited to appear before them. When he came, he protested in the first place against their jurisdiction. Having premised this, he desired to know what articles they had against him. They took no notice of his protestation, but charged him with suggesting the statutes made in the year 1584, and with penning the king's declaration published in pursuance of those acts. They charged him likewise with misreporting the brethren that retired into England. To this the bishop, repeating his protestation, replied, "that the suggestion and draught of the statutes were things he had no hand in; but when the motion was made, and the bills formed, he voted for those provisions, and in this he had followed the direction of his conscience; and that by the second act of that parliament the authority of the three estates was confirmed and enacted to stand unaltered, according to the ancient custom of the realm." This the assembly men objected was settling the episcopal jurisdiction as it stood in times of Popery. St. Andrew's replied, "The bishops were not an estate considered in themselves, but that they represented the estate of the clergy, which was always reckoned the first estate since the kingdom was converted to Christianity." He urged farther, that, "the act last mentioned made no express provision for any episcopal jurisdiction. However, if the circumstances of time and place had been favourable, he told them there was enough to be said in defence of the episcopal authority." He likewise reminded them they were none of his judges. At last, when he found them resolved to go on with their censures, he appealed to the king, the council, the three estates of the realm, or any other lawful assembly convened by his majesty.

When the bishop had left them, they entered into a debate, whether they were to admit the appeal, and stop the process. They divided upon the question, and, upon collecting the votes, had a majority of two for proceeding immediately to excommu-

nication. The moderator, Wilkie, refused to pronounce the sentence, neither would any other of the assembly venture upon so hardy a performance. And thus, when they were breaking up *re infecta*, and a good part of them had left the house, one Andrew Hunter, a young fellow, desired them to stay, and declared the Spirit had ordered him to pronounce the sentence; and thus, stepping into the chair, he read the form of excommunication.

ELIZABETH.

He is excommunicated by the synod.

This censure was returned the next day upon some part of the assembly; for two of the bishop's servants, being at church, prevailed with one Mr. Samuel Cunningham, the bishop's cousin, to go into the reader's seat and pronounce the sentence of excommunication against Mr. Andrew and Mr. James Melvil, and some other ministers of Fife, who had appeared with most heat against the bishop.

The appeal was laid before the king: and here the bishop excepted against the authority of their synod, and the method of their proceedings. He alleged, the meeting of the assembly was expressly against the statutes of the realm: that they were neither convened by his majesty's letter, nor the bishop of the diocese: that a secular person presided as moderator: that the meeting consisted of a majority of the laity, who were to have no vote in Church assemblies: and that if the number of divines had overbalanced the rest, they ought, notwithstanding, by the apostle's rule, to have been subject to the bishop's censure, and not brought him under theirs. The rest of his allegations may be omitted.

Some of his exceptions to the synod.

Spotswood's
Ch. Hist.

The king being informed of this clashing, gave way to the assembly, suffered the bishop to sink, and resign to a dishonourable submission. For at the next synod, instead of discussing the appeal, they came to a sort of compromise, which ran mostly in favour of the assembly. It was to this effect.

By this agreement the bishop, either under his hand or by personally appearing, was to deny that he ever publicly challenged any supremacy, or pretended himself a judge over other pastors and ministers, or maintained that such claim had any warrant or foundation in Holy Scripture. And if any thing of this kind had been affirmed, he was to declare it an error against his conscience and knowledge. He was also to deny his having claimed any judicial power over the last assembly. That if he had done it, he was mistaken: and that he was to

He submits to terms of disadvantage.

WHIT-
GIFT,
Abp. Cant.

blame for his imperious behaviour, and contempt of the synod. He was likewise to promise more inoffensive behaviour for the future; to ask pardon for all past failings and omissions; to insist upon no more privilege and jurisdiction than might be made good by the word of God. And lastly, he was to submit his doctrine and behaviour to the judgment of the general assembly without any contradiction or appeal.

On the other hand, the assembly, to give the king satisfaction, and show how willing they were to obey his highness as far as their conscience would give them leave, promised to declare the process imperfect, and the sentence of excommunication unpronounced, and restore the bishop to the condition he was in before his appearing at the St. Andrew's synod: but with this proviso, that he should perform his part of the stipulation, and manage regularly for the future.

The bishop was so over-compliant as to sign these terms, and sacrifice his character to his repose. However, this excess of humility was not sufficient for general satisfaction. Some of the bigotted ministers moved strongly for maintaining the process, confirming the sentence, and protested against the accommodation agreed by the majority.

At this assembly, there was a motion for censuring the ministers who had subscribed their approbation of the statutes made in the year 1584. But upon inquiry, the number of these subscribers was found so considerable, that it was thought prudent to connive at some difference of sentiment, and not press the matter any farther.

At this general assembly, which met May the 10th, 1586, the number of the presbyteries was settled, and the places of session fixed, by the lord clerk of the register, at the request of the divines. By this synod none are allowed to vote in the general assemblies, but such as the Scriptures have appointed "governors of the Church of God; that is, pastors, doctors, and elders." As for other persons who have any cause depending, or any business to propose in the assembly, they have the liberty of being present: that is, they may give in their petitions, and hear a business argued, but neither the laity nor deacons have any privilege of suffrage. To go on with the assembly, and give their own words: "There are four ordained offices," say they, "set down to us by the Scriptures; to wit, pastors, doctors, elders, and deacons: and the name of a bishop

Idem.

*The laity
not to vote
in the general
assemblies.*

MS. Acts
of the As-
sembly,
fol. 1056.
Spotswood,
Refutat.
Libell. p. 56.

ought not to be taken, as it hath been in Papistry, but in common to all pastors and ministers." The manuscript mentions a conference between the king's council and some commissioners of the assembly at Holyrood house. The matter debated was concerning the authority of bishops. And here the Church committee agreed some privilege should remain to the bishops. Now the assembly refusing to stand to the agreement of their own agents, the king's commissioners came into the house, and protested against their proceedings, and declared every thing null which was done by them. That which the assembly insisted on was, that since a bishop was but an ordinary pastor, any exceptions to the regularity of his life, or the doctrine maintained by him, should be tried by the presbytery and synod: and as to his commission in Church affairs, he should be under the jurisdiction of the general assembly. It was upon these heads the commissioners disagreed with them, and entered their protestation. And thus the meeting being upon the point of breaking up, they sent three of their members to the king, relaxed a little, and agreed upon this compromise: "That bishops and others commissioned to visit churches, should only be subject to the jurisdiction and censure of the general assembly, or their delegates. And that where bishops were resident, they should preside in the meetings of presbyteries and synods." Fife was excepted in this compromise, in favour of Mr. Robert Wilkie, who was to moderate at the presbytery of St. Andrew's till the next synod. Upon this settlement the king is said to have allowed their scheme for adjusting the limits and numbers of their presbyteries.

ELIZABETH.

MS. Acts of the Assembly.

599.

The bishops to preside in the synods.

Spotswood, Refutat. Libell. &c. p. 56.

The king of Scots being informed they were consulting in England about taking away the queen his mother's life, ordered the divines to recommend her to God's protection in their public devotions. This common office of humanity, which might have been performed to an heathen, was absolutely refused. And when the order was repeated, and the form drawn up, none but Mr. David Lindesay, at Leith, and the court-clergy could be brought to compliance. And at Edinburgh, which ought to have been exemplary to the rest of the kingdom, the disobedience was most public and provoking. The king, upon this, ordered Adamson, bishop of St. Andrew's, to perform the office; he was likewise to make a sermon upon the occasion; and a day was appointed for the

The ministers refuse to pray for the queen of Scots.

WHIT-
GIFT,
Abp. Cant.

*Cowper's
misbe-
haviour.*

solemnity. The ministers being informed of this preparation, prevailed with one Cowper, a young man, unordained, to seize the pulpit, and keep it against the bishop. The king coming to the cathedral at the hour appointed, and seeing Cowper in the pulpit, told him that place was designed for another; however, in case he would obey the order, and pray for the queen mother, he might go on. To this Cowper, with an unusual confidence, replied, he would do as the Spirit of God should direct him. Upon this he was commanded down; but managing as if he intended to keep his place, the captain of the guards stepped forward to pull him out; upon which he threw out this expression, "this day shall be a witness against the king in the great day of the Lord." And then denouncing judgment to the burghers of Edinburgh, he came down, and the bishop of St. Andrew's preached, and performed the office. In the afternoon Cowper was ordered to appear before the council; Walter Balcanquhal and William Watson, ministers, came along with him, where, for some unbecoming language, they were forbidden preaching at Edinburgh, during the king's pleasure; as for Cowper, he was sent prisoner to Blackness¹.

Idem. and
Ch. Hist.

*A con-
spiracy
against
queen Eliza-
beth.*

In June, this year, a league, offensive and defensive, was concluded between England and Scotland, at Berwick. The same month this alliance was finished, a desperate plot against queen Elizabeth was discovered. I shall mention some little of it from Cambrden, who formed his narrative from the confession of the criminals. Some Englishmen in the seminary at Rheims were so bigotted to the court of Rome, so overset with the Italian doctrine of the papal supremacy, that they believed Pius V.'s excommunicating bull little less than the inspiration of the Holy Ghost. The next advance in their belief made the dispatching excommunicated princes a meritorious action; and that it was martyrdom to miscarry in the enterprize. This opinion was strongly pressed by Dr. Gifford, Gilbert Gifford, and Hodgkinson, priests; and one John Savage, a man of a military genius, was so thoroughly proselyted to this doctrine, that he readily undertook to kill the queen. At the same time they published a sort of pastoral letter to the English Roman Catholics, not to disturb the

¹ Thus we see how the piety and good sense of the Scotch have been sometimes converted into the wildest bigotry and folly—*optima corrupta pessima*.

government, or attempt anything against the monarch; that they should have recourse to no other expedient but prayers and tears; that these were the only justifiable preparations for Christian subjects; and that fasting and devotion are the proper defences against persecution. These men got a report spread that George Gifford, a gentleman in the queen's guards, had sworn to assassinate her majesty, and received a great sum of money from the duke of Guise for this purpose.

ELIZA-
BETH.

Cambden,
Eliz.

Somewhat before this time, one Ballard, a seminary priest, was sent into France to concert an expedition against England. The invasion was to be furnished by the pope, the king of Spain, the Guises, and the prince of Parma. This Ballard being dispatched into England, to make an interest for the enterprise, was discovered by Maud, one of Walsingham's spies, who travelled along with Ballard, and had been trusted to an intimacy by him. Ballard coming to London, and going under the name of captain Foscue, opened the business to Babbington, a young gentleman of Derbyshire. He was a person of a good family and fortune, and of a promising genius. The enlargement of the queen of Scots was part of their undertaking. This princess being weary of her confinement, is said to have exchanged some letters with Babbington; but that this correspondence reached to any attempt against queen Elizabeth's life, was always denied by her. However, the worst being believed, or at least suspected, queen Elizabeth awarded a commission for her trial. The instrument is directed to the archbishop of Canterbury, now one of the privy council; to sir Thomas Bromley, lord chancellor; to the lord treasurer Burleigh, to the marquess of Winchester, to the earls of Oxford, Shrewsbury, Kent, Derby, Worcester, Rutland, Pembroke, Warwick, Leicester, and Lincoln, with several barons, and other members of the privy council, with five of the judges. The queen of Scots was tried at Fotheringay castle, in Northamptonshire, where she was then imprisoned. When notice was given her, she refused at first to appear in court, and insisted on the independency of her condition, and declared she had rather die a thousand times over, than do any thing which might injure her royal character, and imply that she owned herself a subject. However, she condescended so far as to say, she was ready to make her defence in a free and full parliament. At last she was prevailed with to drop this resolution, and come into court. But here she was not wholly

*A commis-
sion for
trying the
queen of
Scots.*

Idem.

*The queen of
Scots tried
upon 27 Eliz.
cap. 1.*

Oct. 14,
1586.

WHIT-
GIFT,
Abp. Cant.

unprovided with an expedient. For to guard her sovereignty, she entered a protestation in writing against the authority of her judges. She behaved herself with an air of majesty becoming her station, and replied to the articles objected with great strength and presence of mind. She was pressed hardest with the evidence of her secretaries, Nave and Curle: but neither of them were brought into the court, which she desired. In short, her defence not giving satisfaction, she was found guilty.

Idem.

*The arch-
bishop of
Canterbury
at the head
of the com-
mission.*

600.

By the way, it may not be improper to observe, that the archbishop of Canterbury's being put in the commission for trying the queen of Scots, is a clear evidence that the privy council and the judges, who may well be supposed to have perused this instrument, were of opinion, that a bishop's judging in capital causes was not inconsistent either with his character, or the English constitution. It is true the archbishop did not act, neither was there any necessity for his doing so; for by the tenor of the commission, a majority of those nominated were empowered to try the prisoner, and give sentence.

October 29.

Soon after the trial was over, the parliament met at Westminster. The queen's business not giving her leave to come to the house of Lords, the archbishop of Canterbury, the lord treasurer Burleigh, and the earl of Derby, lord Steward, or any two of them, had a commission under the great seal to open the parliament, and to hold, adjourn, or prorogue it, as long as they thought fit.

D'Ewes'
Journal,
p. 391.

*Sir Simon
D'Ewes
tr. inscribed
these reasons
from Puck-
ering's hand.
D'Ewes'
Journal,
p. 400.
Some of
serjeant
Puckering's
reasons for
executing the
queen of
Scots.*

On the 12th of November some of the Lords and Commons waited upon the queen with an address from both houses for the execution of the queen of Scots. And here, to gain her majesty's consent, John Puckering, serjeant-at-law, and speaker to the house of Commons, made a long discourse to reinforce the address. And since sir Simon D'Ewes commends him for "using many solid and excellent reasons," the reader shall have some of them. One of his reasons is drawn from the danger of the Protestant religion, if the queen of Scots were suffered to live. But to suggest that difference of religion, or fears of persecution, are warrantable grounds to proceed against a sovereign princess, and send the heir apparent of the crown into the other world, by way of prevention; to suggest this, I say, looks like mysterious arguing. Whether reasoning in this manner is not consulting ease farther than conscience, and "choosing iniquity rather than affliction,"

(Job xxxvi. 21.) the reader must judge. The speaker charges the queen of Scots with a sanguinary temper, and says she is acquainted with blood. But this is misrepresentation; for this princess allowed her subjects a toleration, disturbed nobody upon the score of conscience, and governed with remarkable clemency, as hath been already related. He puts the queen in mind, that the queen of Scots held up her claim to the crown of England, and believed herself rightful sovereign at present. But this is wide of matter-of-fact; for the queen of Scots had several times solemnly owned queen Elizabeth's right to govern, and pretended no title to this kingdom till after her death. And to weaken the queen's compassion upon the score of the near relation between her and the queen of Scots, the speaker tells her majesty they were only cousins in a remote degree. As remote as they were, the queen of Scots was next upon the royal line; and, besides that, her father, king James V., was cousin-german to queen Elizabeth. But serjeant Puckering endeavours to bring all the English to a much nearer degree of consanguinity; for he tells the queen, she is their natural mother. This figure is somewhat surprising; but he seems to have forgotten the distinction between civil and natural parents. He mentions God's vengeance against Saul for sparing Agag, and the reprimand Ahab received from the prophet for parting with Benhadad. The case of Saul has been spoken to already, and the other is foreign to his point; for Benhadad attacked the king of Israel with a formidable army, and insisted upon intolerable conditions before the battle; neither had the king of Israel ever invited him to his country or protection. He argues, farther, that the magistrates who put those mischievous queens, Jezebel and Athaliah, to death, are commended. But these instances will neither of them bear: for Jezebel was but queen-dowager; and, besides, her execution was expressly ordered by a prophet. And as for Athaliah, she had no title to govern. She was not descended from the royal line of David, upon whose family the crown was expressly settled by God Almighty.

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See above.

2 Kings ix.
7, 10.
2 Chron.
xxiii. 3.
2 Sam. vii.
12.

These arguments of serjeant Puckering running mostly upon topics of divinity, I thought fit to mention. The rest of his discourse shall be passed over.

To say something of the convocation: there were two, *A convocation.* schedules of complaint brought up by the lower house to the

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bishops. The first contains a remonstrance against several disorders in the diocese of Norwich. The complaint sets forth the canons were not observed; that unqualified persons were ordained and instituted; that penance was commuted; that excommunications were sent out for trifles; that regular and faithful preachers were discouraged; and that men were suffered to preach without licence. The other schedule laid before the upper house, and endorsed "Suffolk Archdeaconry," complains that the communion was wholly omitted, or imperfectly administered; that the surplice was refused; that holidays were not observed; that the communion was frequently received in a sitting posture; with some other particulars of lesser consideration.

Convocation
Journal.

What provision was made does not appear in the record. The convocation was prorogued by the archbishop to the 17th of February.

*The queen of
Scots' death,
and part of
her cha-
racter.*

Soon after the Lords and Commons had delivered the address above-mentioned, the lord Buckhurst, and Beale, clerk of the council, were dispatched to the queen of Scots to acquaint her the sentence of death was passed upon her; that it was approved by the parliament; that both Lords and Commons had moved strongly for the execution; and that justice and necessity had forced them upon this motion. They endeavoured to persuade her, therefore, to recollect herself for repentance, and acknowledge her offences against God and the queen; giving broad hints, at the same time, that her life and the religion established in England were things which could not stand together. She received this news with an air of unusual pleasure, returned God thanks, and congratulated her condition, that she was looked on as a person of some weight and significancy for recovering religion. She earnestly desired she might have a Catholic priest to direct her conscience, and administer the holy sacraments. They recommended the bishop and dean of Peterborough for that purpose: but these she absolutely refused, as being of a different communion.

By the mediation of the French ambassador, the publication of the sentence was respited; but in December, at the instance of some of the courtiers, it was proclaimed in London with great solemnity. When this news was brought to the queen of Scots, she was so far from being dejected, that she thanked God for her condition; and by her aspect and behaviour dis-

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covered her mind was not at all disordered upon the occasion. And notwithstanding her keeper, sir Amias Pawlet, had stripped her of all the marks of royalty and regard, and reduced her to a vulgar figure, she received the usage with all the temper imaginable; and having with great difficulty prevailed with him for leave to write to queen Elizabeth, she sent her a letter to this effect :—

“ She declares against her having any unbenevolent disposition towards the queen, returns God thanks for his permission of the sentence of death; that he was pleased to put an end to her pilgrimage, and deliver her from a troublesome world. She desires she may be referred to no subject for the following requests; that the grant of these favours might come from the queen’s hands, and be immediately directed by her order; for from the Puritan party, who now filled some of the principal posts, she could expect nothing that was friendly. In the first place she desires, that, after her enemies had satisfied their thirst with her innocent blood, her body might be carried by her servants into France; for in Scotland the ashes of her ancestors had been insulted, and the churches either pulled down or profaned. And as for England, she could not expect a Catholic funeral there, amongst the old kings of her family: she desires, therefore, to be so disposed of that her corpse may rest at least, which the body could never do while the soul was in it. And since she had reason to suspect the barbarity of some people, she desires she might not be privately made away; but that her servants and others might see her die; that they might be witnesses she died in the true faith of Christ, and in the communion of the Church; and that thus being in a condition to attest her last behaviour, they might silence the calumnies which her adversaries might bring upon her memory. Her third request was, that her servants might have the liberty to go where they pleased, and enjoy the legacies she had bequeathed them. She entreats the queen, by every thing that is moving and solemn, not to deny her these things: she entreats her for Christ’s sake; solicits by the relation between them; by the memory of king Henry VII., their common ancestor, and by her own sovereign dignity. Afterwards she complains, that by order of some of the queen’s council, all royal furniture and distinction were taken from her; and that

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“*A Zelotis
Novatori-
bus.*”
Camlden,
Eliz.

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she had reason to apprehend their malice would break out into something worse. To this she added, that if all her papers which were seized had been fairly produced, and read at her trial, it would have evidently appeared, that nothing but some people's anxious solicitude for queen Elizabeth's security had occasioned her death. And, lastly, she earnestly entreats the queen to return her a few lines under her own hand."

Cambden,
Eliz.

But whether queen Elizabeth received this letter, or not, is more than Cambden can affirm.

*The proceed-
ings against
her censured
by Cambden.*

This historian relates, that those who were unbiassed and judged fairly of matters, thought the queen of Scots hardly used. Their reasons were, because she was an independent princess, and accountable to none but God Almighty: that nearness of blood called loudly for good usage from queen Elizabeth: that when queen Mary was driven out of her kingdom by her rebellious subjects, and had retired into England, queen Elizabeth immediately dispatched Henry Middelmore to her, and, on the word of a princess, made her large promises of friendship and protection: that notwithstanding this engagement for good usage, queen Elizabeth ordered her into custody, and violated the laws of hospitality; that since the queen of Scots was treated no otherwise than as a prisoner surprised, it was lawful for her to disengage herself, and recover her liberty as well as she could: that since she was no subject, she could not commit treason; for equals can have no jurisdiction upon each other: for this reason, the emperor's sentence against Robert, king of Sicily, was declared void, because Robert was no subject of the empire: that ambassadors, if they concert a plot against the princes where they reside, are privileged by their character, and not to be tried for treason; and, if so, the consequence for exemption holds still stronger for princes themselves: that to bring crowned heads to the block, and put them in the executioner's hand, was a thing without precedent. Farther, that the condemning the queen of Scots was neither justifiable by the Scriptures, or the civil law: that it was likewise a contradiction to the English constitution; and, which is more, it clashed directly with an act of parliament made in the 13th of the present reign: by which it is enacted, "That no person or persons shall be hereafter arraigned for any offences mentioned in this act," (that is, for denying the

queen's title, or attempting any thing against her life,) "unless the same offence or offences be proved by the testimony, deposition, and oaths, of two lawful and sufficient witnesses; which said witnesses shall, at the time of the arraignment of such person so offending, be brought forth in person before the party so arraigned face to face, and there shall avow and openly declare all they can say against the party so arraigned, unless the said party arraigned shall willingly, without violence, confess the same."

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13 Eliz.
cap. 1.
Statutes at
Large.

Now the benefit of this proviso was not allowed the queen of Scots at her trial: for, as Cambden goes on, there was no witness produced in court, but she was cast by the depositions of her secretaries taken in writing: but they never appeared to justify their evidence face to face, as the statute requires.

Cambden,
Eliz.

I shall not give the reader the mortification to open the last scene of the tragedy, and write the circumstances of her death: only in general it may be said, her fortitude and devotion were very remarkable: she supported her character with all imaginable decency, and died like a Christian, and a queen.

Cambden gives her the commendation of a pious princess; that she had an invincible greatness of mind; that she was a very fine person, and extraordinarily qualified for the functions of government; that being forced out of her kingdom by her natural brother Murray, and other ambitious and ungrateful subjects, she took shelter in England; that she was ruined here by some Englishmen, over anxious about their religion, and their queen; and that, on the other side, some Roman Catholics, eager to return England to the pope's obedience, pushed her upon dangerous debates. And, lastly, that she seems to have been dispatched by the mercenary evidence of her secretaries, who were bribed into their depositions, and never brought to be confronted in the court. Thus far Cambden.

Feb. 8,
1586-7.

This unfortunate princess died in the forty-sixth year of her age, and the nineteenth of her imprisonment. She was buried in the choir at Peterborough cathedral, where Wickam, bishop of Lincoln, preached her funeral sermon. About twenty years after, her son, king James, ordered her corpse to be removed to Westminster: and now she lies buried on the south side of king Henry VIIIth's chapel, where the king set up a stately monument, with the following inscription:

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“D. O. M.

“Mariæ Stuartæ, Scotorum Reginae, Franciæ Dotariæ, Jacobi V. Scotorum Regis filiæ, et hæredis unicæ, Henrici VII. Ang. Regis ex Margareta majori natu filia, (Jacobo IV. Regi Scotorum matrimonio copulata) proneptis, Edwardi IV. Angliæ Regis ex Elizabetha filiarum natu maxima abneptis, Francisci II. Gallorum Regis conjugis, coronæ Angliæ, dum vixit, certæ et indubitatae hæredis, et Jacobi Magnæ Britanniae monarchæ potentissimi matris.

“Stirpe vere regia et antiquissima prognata erat, maximis totius Europæ principibus agnatione et cognatione conjuncta, et exquisitissimis animi et corporis dotibus et ornamentis cumulatissima. Verum, ut sunt variae rerum humanarum vices, postquam annos plus minus viginti in custodia detenta, fortiter et strenue, (sed frustra) cum malevolorum obtreptionibus, timidorum suspicionibus, et inimicorum capitalium insidiis, conflictata esset; tandem inaudito et infesto regibus exemplo, securi percutitur.

“Et contempto mundo, devicta morte, lassato carnifice, Christo Servatori animæ salutem, Jacobo filio spem regni et posteritatis, et universis cædis infaustæ spectatoribus exemplum patientiæ commendans, pie et intrepide cervicem regiam securi maledictæ subjecit, et vitæ caducæ sortem cum cælestis regni perennitate commutavit¹.”

To proceed. The Puritans giving further provocations to the government, by practising upon their plan, they were smartly prosecuted in the High Commission court. The ecclesiastical commissioners pressed the laws very close; but that which was most clamoured against, was the putting the oath *ex officio* upon them. By this oath the party was obliged to answer all interrogatories, though never so unserviceable. There were several objections made against the justice of this form of inquiry. It was alleged, the tendering this oath was contrary to the common law, and never practised by the civil magistrate. To this it was answered, that in capital causes the oath was not forced upon the prisoner; but where neither life nor limb were concerned, the oath was usually tendered in

Objections
against the
oath ex offi-
cio, with the
answers in
defence of it.

¹ The great majority of historians are well agreed, that the treatment which Mary received from the English and Scotch, for a long succession of years, was infamous and indefensible in the extreme.

Chancery, in the council of Marches, and the council in the North. That there were frequent instances of such proceedings in other courts of record at Westminster, where judges have time out of mind given an oath to persons suspected of foul dealing touching any writ, return, and other matters not being capital.

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It was urged, this method was contrary to the privileges of nature, and the fundamental laws of liberty; by virtue of which, “*nemo tenetur seipsum prodere*,” nobody is bound to discover or betray himself. To this it was replied, that “*homo proditus per denunciationem, famam, &c., tenetur seipsum ostendere*.” That is, when a man’s misbehaviour lies altogether out of sight and notice, he is not obliged to take an oath to publish his failings; but when his practice is in some measure reached by common report,—when he is presented or informed against,—in this case the fault cannot be said to lie concealed, and therefore the governors in Church or State ought to make use of the best expedient for a full inquiry; that by this means the whole truth may come up, the punishment be rightly proportioned, and the person more effectually reformed.

It was urged, farther, that these proceedings, *ex officio*, were practised only by Popish prelates against those of the Reformation. To this it was returned, that bishop Bonner and Gardiner had the oath *ex officio* put to them in king Edward VI.’s reign, and that the court who urged the taking this oath consisted of bishops, privy-councillors, judges, common lawyers, and civilians.

Another exception was, that the Scripture, which ought to be the rule for justice, affords neither precept nor precedent for such proceedings. To this it was replied, that there is no necessity for either of these authorities from Holy Writ; that there being nothing to condemn this process in the Old and New Testament, was sufficient to justify the government. However, there is somewhat of a resembling instance in the Mosaic law. For instance: when a man was found murdered in the field, the elders of the next city were solemnly to declare to the priest, and that with an appeal to God Almighty, that they were wholly unconcerned in the murder.

Fox, Acts and Monuments, fol. 1512. 1516. 1536. edit. single folio.

The last objection I shall mention was, that no transmarine Protestant Churches managed in this arbitrary manner. To this it was replied, that even Geneva would furnish two

Deut. xxi. 7, 8.

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instances to the contrary. This was, no doubt, *argumentum ad hominem*, and striking the right string with a witness. The instances are these. One Cumperel, a Geneva minister, fixed in a parish within the territory of that republic, had a private design of placing himself in the state of Bern. This was reckoned a great fault. When the consistory was informed of his intentions, they put the oath *ex officio* to him; and because he refused to answer directly to some very close interrogatories,—and there lay strong presumptions against him,—they came to a resolution that they had just grounds to depose him from his function.

Calvin,
Epist. edit.
folio, p. 421.
422.

The next Geneva precedent stands thus: One Balthazar, a rich widow in Geneva, had a ball at her house. This diversion is a great crime by Calvin's discipline. It happened that a syndic, one of the four chief magistrates, and one Henrick, an elder, were two of those that danced. When Calvin understood what was done, he convented them before a consistory; and though they were delated by nobody, the oath *ex officio* was put to them to extort matter of fact. The elder pleaded St. Paul's rule to Timothy, "Receive not an accusation against an elder under two or three witnesses." This plea was rejected, and Calvin called it no better than a pleasant jest. In short, Henrick the elder, though he made no part in the diversion, was animadverted on for defending it. He was turned out of his office, and imprisoned for three days. And more than that: one of the four syndics, or chief magistrates of the town, was likewise suspended from the execution of his office, till he had given some proofs of his repentance for being at the ball. This man resigned to the consistory, did penance upon their admonition, and so prevented his commitment. There were several others, who, being examined by Calvin upon their oath, confessed they were at this dancing entertainment, upon which they were all sent to prison¹.

Calvin,
Epist. 71,
ad Farell.

Calvin,
Epist. 71.

The English Dissenters who refused this oath may be ranged under four divisions.

First. Such who would return no other answer but this:—
2 Cor. iv. 5. "If our faults be hidden, tarry till the Lord comes and makes
603. the counsels of our hearts manifest;" but if they are manifest, let the prosecutor and the witnesses appear.

¹ Calvin seems to have believed in earnest what Cicero merely stated in joke—"that no man would dance, unless he were mad or drunk." Perhaps the burning of Servetus was nearly as wicked as the dancing of a presbyter.

The second sort took the oath with a protestation, that they intended not to be bound to accuse either themselves or their brethren. ELIZABETH.

A third sort had somewhat of a larger principle towards compliance. They thought themselves obliged to discover both their own and their brethren's faults; "to remove evil from the land," as they call it; but for such actions which were strained and misconstrued, and no faults at all in the judgment of the party examined, these they believed themselves not bound to disclose.

The last sort took the oath with a protestation somewhat different from the second. They declared they did not reckon themselves bound to answer any interrogatories to fortify any other's testimony; but where the crime had no evidence to prove it, they conceived they might fairly be sworn to discover their knowledge. For instance: they thought a preacher ought not to be examined upon oath concerning any part of his sermon. For this they cited our Saviour's answer to the high priest, "Why askest thou me? Ask them that heard me; they know what I said."

The Dissenters' Book of Discipline was lately revised, and approved by the party. And now they began to form themselves into classes. Three of these classes were set up in Northamptonshire; one at Northampton, another at Daventry, and another at Kettering. The same form of government was likewise erected in most other counties. To say something of the business of these classes, and the manner of their proceeding. At their meeting, which was always in some private house, they chose a moderator in the first place. Their method is this; one of them makes a prayer for God's direction in the choice. This minister takes a seat by himself to receive the scrutiny: upon this all the company give their votes privately to him, and here the choice turns upon a majority. He that is chosen moderator makes a prayer for God's blessing in the management of his office. After this he calls over the names of the brethren. The authority of the moderator continues until the next meeting. At the recess of every classis they always appoint a time for meeting again: this interval is sometimes no more than a fortnight, but seldom above three weeks. If any extraordinary emergency happens in the mean time, the moderator may shorten the adjournment. When

John xviii.
21.
Fuller's
Church
Hist.
book 9.

Bancroft's
Dangerous
Positions,
book 3.
*The method
of the classes,
and the
business done
there.*
Cartwright's
Directory,
printed
London,
A. D. 1644.

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any person is admitted into a classis, he engages to absolute submission, and subscribes himself ready to obey all the orders and decrees of that society. For instance, it was concluded at the classis of Northampton, that when any controversy happens touching any point of doctrine, or interpretation of Scripture, all the brethren of that classis were bound to stand by the determination of the majority: they likewise answered cases of conscience put to them, and resolved difficulties touching contracts of marriage. The decrees and resolutions of the classis were entered in a book, which was always in the custody of their registry.

Besides these classes, there was another meeting called the assembly: it was generally formed out of two from every classis. At this committee they chose a moderator, who presided over the respective classes until the next assembly, which was commonly within six or eight weeks. Business of more than ordinary importance was managed here, and such in which the Church was generally concerned. For instance; writing of letters to the brethren at Oxford, Cambridge, and London, to acquaint them with their proceedings, and receive their directions for discipline and government. At such times it was likewise resolved which of the committee should pen the letter; and in the Northamptonshire division Mr. Snape was commonly the person. For this purpose, they wrote to Travers in London, Gellybrand in Oxford, and to a third in Cambridge. There were two material points settled in the Northamptonshire assembly this year: one was to take a survey of all the Churches in that county; the other was for an order to be observed at the ensuing parliament. The business of the survey was to know the value of every benefice in the county, the number of the parishioners, who were the incumbents, how they lived, and were qualified. And here those who were commissioned for this inquiry commonly made a very disadvantageous report of the conformists. The design of this Northamptonshire survey was to make a precedent for other counties; that by being thus furnished with information, they might give in a general list to the parliament of all the clergy in England that opposed their project. The other business transacted in the assembly above-mentioned, was a resolution to send one or two of every classis with credentials to London, to attend the parliament. And here they

were to join the brethren of other districts; to offer a conference for disputation, if it was thought proper; and to manage any other business at discretion. This Northamptonshire survey was approved by the party in other places, and practised in most counties in England.

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To add something concerning the methods of censure in the classes. For instance; if a layman fell into a fault, one of the elders was to admonish him: if the party proved obstinate, the elder must take two or three with him the second time. If he continued unreclaimed after this last reprimand, they barred him the communion. If the perverseness of the party was such as to intrude upon the communion, it was then resolved he should be refused upon pretence of an order in the rubric. And thus they found out a method to maintain their own discipline, and covered themselves at the same time with the authority of the common prayer. The classes and committees in the country were under the direction of the general assembly at London. At this grand meeting Cartwright, Edgerton, or Travers, were commonly moderators. Whatever was done here was reckoned authentic; this was the last resort, and the overruling authority. Hither the brethren in the country sent their queries, and applied for advice.

The country classes under the direction of the assembly at London.

This account of the Puritans' proceedings is taken from Id. book 3. depositions in the courts of the High Commission and Star-chamber: and here the deponents were generally persons present at the assemblies.

About this time, sir Thomas Bromely, lord chancellor, departed this life. And now the queen offered the seal to archbishop Whitgift: but this prelate excusing himself upon the score of his age, and the business of his function, recommended his friend, sir Christopher Hatton. The motion being approved, this gentleman had the seal, and other marks of that office, delivered to him at Whitgift's house at Croydon.

Paul's Life of Archbishop Whitgift.

To proceed; John Low, John Adams, and Richard Tiptdale, were tried and found guilty of high treason, for being made priests by the authority of the bishop of Rome: for this they were hanged, drawn, and quartered, at Tyburn. But this should have been placed to October the last year.

604.

To take a survey of the affairs of the Church in Scotland: this summer a general assembly was convened by the king's

Stow's Annal. p. 741. June 20, 1587.

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GIFT,
Abp. Cant.

proclamation: the design was to settle the points of difference between his majesty and the Church. But the ministers proving too stiff and pretending, the meeting failed of success: for the chancellor and justice-clerk coming to the assembly, and requiring satisfaction in the king's name for the misbehaviour of James Gibson and John Cooper, ministers, and that Montgomery, bishop of Glasgow, might be received without any form of submission, their answer was, "That if the Church's petitions were granted in the next parliament, they would endeavour to bring things to such a temper as might be best consistent with the honour of the ministry, might satisfy the offence of the godly, and the conscience of their brethren, against whom his majesty had taken offence. And as for Mr. Robert Montgomery, they would dispense with some ceremonies used in admitting excommunicates, provided the king was willing to remit somewhat of the satisfaction craved of the other two brethren." This peremptory answer disgusted the king so far, that he refused treating with them any farther at that time.

The assembly at Edinburgh refuse to give the king satisfaction.

Spotswood's
Ch. Hist.

The assembly petition the parliament against the prelates.

The assembly continued sitting until the parliament met. At the opening the session they sent Mr. David Lindsay, Mr. Robert Pont, and some other commissioners, to the parliament house: and here in the name of the Church they desired that the prelates then present might not be suffered to sit; their reasons were, because they had no authority from the Church, and most of them executed no function in it. Against this motion, Mr. Edward Bruce, abbot of Kinloss, rose up, and addressing the king, made a long discourse to prove the right they had to sit in parliament, and vote for the Church. He complained the ministers had in a most illegal and disorderly manner thrown them out of their business in the Church, and now they were trying to carry on their encroachment, and deprive them of their privilege in the State. This usage the prelates hoped his majesty would not suffer, but rather punish the presumption of the petitioners. Mr. Robert Pont being somewhat too warm in his reply, the king stopped the contest, and ordered them to present their petitions to the lords of the articles. But here the assembly committee found no satisfaction as to this particular.

July 29,
1537.

Some time before the courtiers had concerted a project for conveying the remainder of the Church-lands to the crown.

The plea was, the augmentation of the royal revenues, and putting the king in a condition of supporting his dignity, without burthening the subject with taxes. To this purpose a bill was read, and passed into an act. Archbishop Spotswood blames the Churchmen for their cowardice and perfidiousness on this occasion; for deserting the interest of religion, and not crushing the design at the beginning. The preamble of the statute bears somewhat hard upon the munificence of former princes, and insinuates them lavish and defective in their conduct. As for the bishops, Spotswood makes something of an excuse for them: the Presbyterians had handled them so roughly, that they were in a manner forced to apply to the protection of the great men, and resign themselves wholly to the pleasure of the court. And as for the assembly men, they were so eager to ruin the prelates, so over-heated with passion and revenge, that they were not aware of the snare, but suffered themselves to be imposed on by those persons who lay at catch for the Church lands. These crafty men persuaded the Presbyterians that the only way to gain their point upon their adversaries, and finish the ruin of episcopacy, was to alienate their patrimony; for when the bulk of the prelates' estates was once vested in the crown, nobody would accept the function, and by consequence the order must sink. And here not only the prelates, but the whole Church, received a terrible blow. It is true, to stop the clamour of the Presbyterian ministers, and bring them to an acquiescence, they were promised the whole tithes should be settled on them, and disposed of at their pleasure. But the rich laity, after they had gained the lands, broke in even upon this branch of the Church's revenue: for the lords of the new erections, as they call them, seized the tithes, impoverished the ministers, set the tithes at a higher rate, and harassed the poor farmers that were to pay them to a great degree of rigour.

To mention some part of the body of the act, and show the reader what a sweep it made from the Church into the Exchequer.

“Our said sovereign lord, and his said three estates of parliament, by the force of this presente act, have united, annexed, and incorporate, and unitis, annexis. and incorporatis. to the crown of this realme, to remaine therewith as annexed, and as

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James 6.
parl. 11.
cap. 29.

Spotswood,
Refutat.
Libell. p. 53.

Idem.

*The Scotch
annexation
act for con-
veying the
Churchlands
to the Crown.*

WHIT-
GIFT,
Abp. Cant.

it were propertie thereof, in all time cuming, and with our said souveraine lord, and his successours for ever; all and sindrie landes, lordshippes, barrontes, castles, towres, fortalices, mansions, manour places, milnes, multures, woodes, schawes, parkes, fischinges, tounes, villages, burrowes, in regalitie and barronie, annual rentes, tennentes, reversiones, customes great and small, few farms, tennentes, tennendries, and service of free tennentes. And all and sindrie utheris commodities, profits and emoluments quhat sumever, alswel to burgh, as to land, (except, as hereafter sall be excepted in this present acte) quhilkis at the day and dait of thir presentis, viz. the 29th day of Julie, the zeir of God, 1587 zeirs, perteinis to quhat sumever archbishoppe, bishoppe, abbot, prior, prioresse, and quhat sumever uther prelate, either ecclesiastical or beneficed person, of quhat sumever estaite, degree, high or lawe, and at the day and dait of thir presentes perteinis to quhat sumever abbay, convent, cloister, quhat sumever ordour of friers or nunnes, monkes or channones, howsumever they be named, and to quhat sumever colledge kirk, founded for chantorie and singing, or to quhat sumever prebendarie or chaplanarie quhairever they be, or be situate within this realme and dominion thereof. And sik like, all and sindrie commoun landes, bruiked by chapters of cathedral kirkes, and chantrie colleges as common: and quhari of the saidis chaptours have bene in possession before in commountrie, to be in all times hereafter taken, halden, and repute, as it were the propertie and patrimony of the crown."

James 6.
parl. 11.
cap. 29.
605.

This annexation act was not passed without several provisos and reservations. For instance: the prelates' houses or castles where they resided, the tithes of parishes, the glebes, parsonage and vicarage houses, lands granted to colleges and schools, and the endowment belonging to hospitals, are all foreprized and excepted, and left to the old proprietors, pursuant to the use of the first settlement.

But then all Church lands already disposed of by the king, and erected into temporal lordships and baronies; all such grants and dispositions prior to the date of this act, are confirmed to the respective owners.

Spotswood's
Ch. Hist.
p. 365.

The advantage of this act to the crown was strongly represented, to make way for the royal assent. But soon after the

bill was touched by the sceptre, the king found himself abused. For a great many estates which had been wrested from the Church before, were confirmed by this act: and as for the rest which were now vested in the crown, they were quickly granted away to the courtiers. These gentlemen took care to solicit for one another: that the lands being thus divided amongst a great many, the recovery of them might be more impracticable. Thus when the king came to maturity of judgment, he found his youth had been surprised; that those who contrived the statute, had been playing their own game: and thus he saw plainly what some people meant by reformation. As for himself, he got little or nothing, excepting the character of impoverishing the Church, bringing a change upon the constitution, and maiming the first estate of the kingdom. It was upon this recollection that the king called this statute of annexation a vile act, and advised his son prince Henry to repeal it, if he did not find it done to his hand.

ELIZABETH.

The king repents passing the act of annexation, and why.

Ibid. et Re-fut. lib. p. 60.

The ministers likewise, who either stood neuter or promoted the bill, missed their account; for the tithes were not restored them as they expected. When they found themselves overreached, they began to make a noise; but now it was to little purpose.

Βασιλικὸν Δῶρον,
book 2. p. 43.

But before the annexation act passed, there were several statutes made in favour of them. These provisions laid their jealousy asleep, and kept them in good humour. To mention some of them: by an act made this parliament, "Jesuits and seminary priests that did not depart the kingdom within a month after the publication of the statutes, were to suffer death, and forfeit all their moveables; and those who knew their character, and entertained them, were to forfeit the revenue of their estates for their life-time: and those who either said or heard mass, or dispersed any book or letters to draw people from the true religion, were to forfeit their moveable goods, with the life-rents of their lands for the king's use.

Several acts made in favour of the ministers.

"Farther, those who imported any books containing erroneous doctrine, or superstitious rites, and papistical ceremonies, were to be committed to ward, and punished in their persons and goods at the king's pleasure."

James 6.
parl. 11.
cap. 24.

By another act, "All ministers preferred to benefices of cure, under prelacies, are discharged from the payment of the first year's fruits, and the fifth penny of their benefices, which had been lately paid to the crown.

James 6.
parl. 11.
cap. 25.

WHIT-
GIFT,
Abp. Cant.

James 6.
parl. 11.
cap. 26.

*The penalty
for an ex-
communi-
cated person
who intrudes
into the
Church, and
refuses to go
out upon
admonition.*

James 6.
parl. 11.
cap. 27.

A. D. 1537.

James 6.
parl. 11.
cap. 36, 37.

“ And because divine service was sometimes disturbed, and the ministers outraged in performing their office, it is enacted, that those who are guilty of making any tumult or fray in any church or church-yard, are to incur the forfeiture of all their goods to the king. And that those who lay under spiritual censures, and assaulted any minister for not receiving them to communion without penance, were to forfeit all their moveable goods. And if any excommunicated person shall come into the congregation at the time of the administration of the sacraments and common prayer, the minister being informed of such intrusion, shall immediately charge the excommunicated person in God’s name and the king’s to depart. But if the person proves obstinate and stays in the church, the minister, after the service is over, shall require as many of the most discreet and substantial parishioners as he shall think fit, to apprehend the excommunicated person, and carry him before the magistrate of the precinct, who is to commit him till he gives such security for his behaviour as the minister shall appoint. The elders who were present when the offence was committed were to engage that the excommunicated person should reconcile himself to the Church. And lastly, in case the offender failed in performing his part, he was to forfeit all his moveable goods, and be punished at the king’s pleasure.”

Notwithstanding the prelates were stripped of their patrimony by the annexation act, they still continued to sit in parliament, as appears by the statute for regulating the number of the “lords of the articles;” It is enacted, that the number of this committee shall be equally drawn out of every estate; that the smallest number of every estate shall be six, and the greatest ten. It is likewise enacted, that each of the three estates were to appear in the parliament house in distinct apparels or habits.

The next year, which the astronomers predicted would produce something extraordinary, a descent upon England was concerted. The pope, some Spanish monks, and English refugees, refreshed the king of Spain’s memory for this expedition. That prince’s arms had been employed in the conquest of Portugal, and thus the design against England slept for about ten years. But now conceiving him at leisure, they endeavoured to push him upon the enterprise: they suggested, that since Providence had blessed him with such remarkable

prosperity, his majesty was bound to do something by way of return; that nothing was more acceptable to God Almighty, or becoming a Christian prince, than enlarging the pale of the Church; that this glorious undertaking could no way be executed to more advantage than by conquering England, exterminating heresy, and restoring the Catholic religion; that nothing could be more just than this war, not only upon the score of its being necessary, but because it was undertaken for the maintenance of the Christian religion. To prove the justice of the war more particularly, they alleged the queen of England was excommunicated, persisted in her disobedience to the Church of Rome, abetted the rebels in Flanders, made continual depredations upon the Spaniards, seized and plundered his towns in Spain and America; and over and above, had lately outraged the majesty of all crowned heads, in murdering the queen of Scots. After they had thus flourished upon the justice, they endeavoured to show the advantage of the undertaking, which I shall omit. In short, king Philip was prevailed with to follow the advice: and thus the Invincible Armada was equipped. But what was the issue of this formidable preparation, and how happily it miscarried, I shall leave to the state historian.

ELIZABETH.
The reasons suggested to the king of Spain for an expedition against England.

Camden, Eliz. 606.

This troublesome year the Puritans were very active in perfecting their schemes, subscribing their discipline, and drawing out to a farther defiance of the Church of England. The Warwickshire classis, where Wright was generally moderator, met upon the tenth day of the fourth month, as they call it; and here they determined the questions sent to them from the Cambridgeshire synod. Some of their resolutions are as follow, viz.:

A. D. 1588.

“That private baptism is unlawful; that it is not lawful to read homilies in the Church; that the sign of the cross is not to be used in baptism; that the faithful ought not to communicate with unlearned ministers: but here they allow them to be present at the service, if they come on purpose to hear a sermon. Their reason is, because laymen, as well as ministers, may read public service. That the calling of bishops is unlawful; that within their management of causes ecclesiastical, there is no duty belonging to them, nor any publicly to be given them: that it is not lawful to be ordained by them, or to denounce suspensions or excommunications sent from them;

The resolutions of the Warwickshire classis.

WHIT-
GIFT,
Abp. Cant.

that it is not lawful to acquiesce in the bishop's deprivation of any person, excepting (upon consultation with the neighbouring ministers and the parishioners of the minister deprived) they find it expedient; otherwise the person censured is to continue his function till he is ejected by the civil magistrate. Farther, they resolve, it is not lawful to appear in a bishop's court, unless with a protestation against his authority; that bishops are not to be acknowledged either for doctors, elders, or deacons: the reason is, because they have no ordinary calling. That touching the restoring their ecclesiastical discipline, it ought to be prudentially managed, and suggested to the people only as occasion shall serve; that the people are not to be publicly solicited to the practice of the discipline, till they are better instructed in the theory. And lastly, that men of more improved understandings are to be privately dealt with to come over to the discipline, as far as may be consistent with the peace of the Church." Thus far the provincial synod of the Warwickshire classis.

Bancroft's
Dangerous
Positions,
book 3.
p. 36.

At this assembly the Book of Discipline received a farther approbation, and was subscribed by Cartwright, Fenn, and several other ministers; it was likewise handed about to other classes for subscription. When this book came to Northampton for the purpose last mentioned, the brethren agreed to a general censure of each other: this was done partly by way of penance for their former conformity to the Church, and partly to prepare them for a devout submission to the Book of Discipline. It seems this reprimanding each other was done with so much indiscretion, satire, and particularity, that it weakened their correspondence, brought them almost to a general rupture, and made some of the ministers come off from those assemblies¹.

Idem. p. 33.

However, the greatest part cemented and kept together; and to make way for the introduction of their project, and prepare the people for so great a change, they thought it necessary to appear farther in print. They had two points to manage; to answer some books written in defence of episcopacy, and to draw an odium upon the bishops, and bring them under contempt. Dr. John Bridges, dean of Sarum, and afterwards bishop of Oxford, published a book entitled, "A Defence of

¹ Thus the Puritans, having vented their spleen on the episcopal order, thought it magnanimous to satirize themselves. This proceeding may be compared to the practice of the Flagellants, who were never contented till they had flogged one another all round.

the Government of the Church of England." It was chiefly levelled against Beza, but so contrived as to meet with the Puritans' objections. To this an answer was returned, called, "A Defence of the godly Ministers against the Slanders of Dr. Bridges." Bridges replied, and the other party published a rejoinder. About the same time Dr. Some, master of Peterhouse in Cambridge, published a discourse against Penry, and exposed the passion and weakness of this warm Puritan. This book was soon after answered in a libel called, "Mr. Some laid open in his Colours." But the defence of their tenets, and repelling an attack was not thought enough, though, to speak properly, themselves were generally the aggressors. But now they were resolved to manage the war more vigorously, to assault their enemies' camp, and charge the head-quarters of the Church: and in this quarrel they scrupled the use of no weapons, or method of management. Where they could not reason, they took care to rally and rail: to furnish libels and buffoonery against the bishops, four of the most hot-headed and seditious of the party clubbed their talents. This junto published a great many venomous pamphlets under the disguise of "Martin Mar-Prelate." Of this kind may be reckoned, "The Epistle to the Convocation House:" "The Epitome:" "The Demonstration of Discipline:" "The Supplication:" "Diotrephes:" "Martin's Minerals:" "Have you any work for a Cooper?" "Penry's Epistles sent from Scotland:" "Theses Martinianæ, or Martin Junior:" "The Protestation of Martin:" "Martin Senior:" "More Work for the Cooper¹:" "A Dialogue setting forth the tyrannical Dealing of the Bishops against God's Children."

ELIZABETH.

Penry, Throgmorton, Eudale and Fenner. Scandalous pamphlets published by some of the Puritans against the bishops and Church of England.

Paul's Life of Archbp. Whitgift.

To silence these clamours, and disable this railing, which was carried to the last degree of coarseness and passion, Whitgift and the rest of the bishops procured a grave and solid answer to these invectives; it was entitled, "An Admonition to the People of England," and particularly levelled against Martin Mar-Prelate. But it seems their obstinacy and assurance was such, that there was no reasoning them out of their rudeness. It was thought therefore the best way to answer a "fool according to his folly," and combat these pamphleteers at

Bancroft's Dangerous Positions, cap. 11, 12.

¹ This was an attack on Cooper, who died bishop of Winchester, 1594. It was he who wrote the "Admonition," mentioned in the next paragraph, against John Penry, or Ap-Henry, *alias* Martin Mar-Prelate, who paid for his temerity with his life.

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their own weapon. They were attacked in this manner by one Tom Nash, in his "Pasquil" and "Marforio," his "Counter-scuffle," "Pappe with a Hatchet," &c. This Nash had a genius for satire, a lively turn, and spirit for the encounter; by these advantages, together with that of the cause, he broke the enemy at two or three charges, and drove them out of the field.

Cambden,
Eliz.

As for the Puritan libels, they were generally printed by one Walgrave: he had a travelling press for this purpose; it was removed from Moulsey near Kingston-upon-Thames, to Fausley in Northamptonshire. The next stage was Norton; from Norton it was shifted to Coventry; from thence it was carried to Wellstone in Warwickshire, and from thence to Manchester, where both press and printer were seized by the earl of Derby. The charge of the press was borne by Knightly of Fausley, a gentleman of good fashion. This man was drawn into the cause by Snape and some other leading ministers of that county. But these enterprising people were brought into the Star-chamber, and in danger of receiving a smart correction. But here, as it happened, the person they had most insulted, appeared their friend. For upon their submission, archbishop Whitgift solicited strongly for them, and prevailed with the court to discharge their imprisonment, and remit their fines. It is somewhat remarkable, that the Puritans were most active in setting up their discipline, and scattering their scandalous pamphlets, when the Spanish Armada was sweeping the seas, and menacing the kingdom with a conquest. It is probable they thought themselves privileged at this juncture, and that the government had neither leisure nor courage to call them to an account. This mutinous behaviour under so terrible a crisis lost them the friendship of the earl of Leicester and sir Francis Walsingham. These great men, as it is said, declared they had been horribly abused with their hypocrisy. This, though a late, might be a serviceable discovery to their patrons; for the earl died this year, and Walsingham within two years after.

Archbishop
Whitgift
solicits for
the discharge
of some Pu-
ritans, and
procures it.

Bancroft's
Dangerous
Positions.

That Walsingham abated in his affection to the Puritans, may be collected from his letter to monsieur Critoy, a French gentleman. From hence it appears, at least in Walsingham's opinion, that the queen was willing to indulge liberty of conscience, provided it might have been granted without danger

to the state: that she was forced on rougher expedients in her own defence: and that it was only the mutiny and misbehaviour of the Papists, which drew the severity of the laws upon them. The letter is a remarkable paper: I shall give it the reader in the secretary's words.

ELIZABETH.

“ SIR,

“ Whereas you desire to be advertised touching the proceedings here in ecclesiastical causes, because you seem to note in them some inconstancy and variation, as if we sometimes inclined to one side, sometimes to another; and, as if that clemency and lenity were not used of late, that was used in the beginning: all which you impute to your own superficial understanding of the affairs of this state; having, notwithstanding, her majesty's doing in singular reverence, as the real pledge which she hath given unto the world of her sincerity in religion, and of her wisdom in government, well meriteth. I am glad of this occasion to impart that little I know in that matter to you, both for your own satisfaction, and to the end you may make use thereof towards any that shall not be so modestly and so reasonably minded as you are. I find therefore her majesty's proceedings to have been grounded upon two principles.

Secretary Walsingham's letter to Monsieur Criloy, secretary of France, in defence of the queen's proceedings against recusants of both kinds. Cabala, sive Scrinia Sacra, 3d edit. p. 372.

“ 1. The one, that consciences are not to be forced, but to be won and reduced by the force of truth, with the aid of time, and the use of all good means of instruction and persuasion.

“ 2. The other, that the causes of conscience, when they exceed their bounds, and grow to be matter of faction, lose their nature; and that sovereign princes ought distinctly to punish their practices and contempt, though coloured with the pretence of conscience and religion¹.

“ According to these principles, her majesty at her coming to the crown, utterly disliking the tyranny of Rome, which had used by terror and rigour to settle commandments of men's faith and consciences, though, as a prince of great wisdom and magnanimity, she suffered but the exercise of one religion, yet her proceedings towards the Papists were with great lenity, expecting the good effects which time might work in them. And therefore her majesty revived not the laws made in the 28th and 35th years of her father's reign, whereby the oath of supre-

¹ These two great principles of policy are admirably stated by Walsingham, and deserved to be deeply impressed on the public.

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Abp. Cant.

macy might have been offered at the king's pleasure to any subject, though he kept his conscience never so modestly to himself; and the refusal to take the same oath, without farther circumstance, was made treason. But contrariwise, her majesty, not liking to make windows into men's hearts and secret thoughts, except the abundance of them did overflow into overt and express acts, or affirmations, tempered her law so, as it restraineth every manifest disobedience, in impugning and impeaching advisedly and maliciously her majesty's supreme power, maintaining and extolling a foreign jurisdiction. And, as for the oath, it was altered by her majesty into a more grateful form, the hardness of the name and appellation of supreme head was removed, and the penalty of the refusal thereof turned only into disablement to take any promotion, or to exercise any charge, and yet with liberty of being re-invested therein, if any man should accept thereof during his life. But after, when Pius Quintus had excommunicated her majesty, and the bulls of excommunication were published in London, whereby her majesty was in a sort proscribed: and that thereupon, as upon a principal motive, or preparative, followed the rebellion in the north; yet, because the ill humours of the realm were by that rebellion partly purged, and that she feared at that time no foreign invasion, and much less the attempt of any within the realm, not backed by some potent succour from without, she contented herself to make a law against that special case of bringing and publishing any bulls, or the like instruments; whereunto was added a prohibition upon pain, not of treason, but of an inferior degree of punishment, against the bringing in of *Agnus Dei*, hallowed bread, and such other merchandise of Rome, as are well known not to be any essential part of the Romish religion, but only to be used in practice as love tokens, to enchant the people's affections from their allegiance to their natural sovereign. In all other points her majesty continued her former lenity. But when, about the twentieth year of her reign, she had discovered in the king of Spain an intention to invade her dominions, and that a principal point of the plot was to prepare a party within the realm, that might adhere to the foreigner; and that the seminaries began to blossom, and to send forth daily priests, and professed men, who should by vow taken at shrift, reconcile her subjects from their obedience; yea, and bind many of them to attempt

against her majesty's sacred person ; and that by the poison which they spread, the humours of most Papists were altered, and that they were no more Papists in conscience, and of softness, but Papists in faction, then were there new laws made for the punishment of such as should submit themselves to such reconcilements, or renunciations of obedience. And because it was treason carried in the clouds, and in wonderful seeressy, and seldom came to light : and that there was no pre-suspicion thereof so great, as the recusancy to come to Divine service : because it was set down by their decrees, that to come to church before reconciliation, was to live in schism : but to come thither after reconciliation, was absolutely heretical and damnable : therefore there were added laws containing punishment pecuniary against such recusants, not to enforce conscience, but to enfeeble and impoverish the means of those of whom it resteth indifferent and ambiguous, whether they were reconciled or no. And when, notwithstanding all this provision, this poison was dispersed so secretly, as that there were no means to stay it, than by restraining the merchants that brought it in : then, lastly, there was added another law, whereby such seditious priests of new erection were exiled, and those that were at that time within the land shipped over, and so commanded to keep hence upon pain of treason.

“ This hath been the proceeding, though intermingled not only with sundry examples of her majesty's grace towards such as in her wisdom she knew to be Papists in conscience, and not in faction and singularity ; but also with an ordinary mitigation towards the offenders in the highest degree committed by law, if they would but protest, that in case this realm should be invaded with a foreign army by the pope's authority for the Catholic cause, as they term it, they would take party with her majesty, and not adhere to her enemies.

“ For the other part which have been offensive to this state, though in other degree, which named themselves Reformers, and we commonly call Puritans, this hath been the proceeding towards them a great while : when they inveighed against such abuses in the Church, as pluralities, non-residence, and the like, their zeal was not condemned, only their violence was sometimes censured : when they refused the use of some ceremonies and rites as superstitious, they were tolerated with much connivance and gentleness ; yea, when they called in question the superiority of bishops, and pretended to bring a

WIIIT-
GIFT,
Abp. Cant.

democracy into the Church, yet their propositions were heard, considered, and by contrary writings debated and discussed. Yet all this while it was perceived that their cause was dangerous, and very popular: as because papistry was odious, therefore it was ever in their mouths, that they sought to purge the Church from the relics of popery, a thing acceptable to the people, who love ever to run from one extreme to another. Because multitudes of rogues and poverty were an eyesore and dislike to every man, therefore they put it into the people's head, that if their discipline were used, there should be no beggars nor vagabonds; a thing very plausible. And, in like manner, they promise the people many other impossible wonders of their discipline; besides, they opened the people a way to government by their consistory and presbytery, a thing, though in consequence no less prejudicial to the liberties of private men, than to the sovereignty of princes, yet in the first show very popular. Nevertheless this (except it were in some few that entered into extreme contempt) was borne with, because they pretended but in dutiful manner to make propositions, and to leave it to the providence of God, and the authority of the magistrate. But now of late years, when there issued from them a colony of those that affirmed that the consent of the magistrate was not to be attended; when, under pretence of a confession to avoid slanders and imputations, they combined themselves by classes and subscriptions; when they descended to that vile and base means of defacing the government of the Church by ridiculous pasquils; when they began to make any subjects in doubt to take an oath, which is one of the fundamental points of justice in this land, and in all places; when they began both to vaunt of their strength and number of their partizans and followers, and to use the communications that their cause would prevail, though with uproar and violence; then it appeared to be no more zeal, no more conscience, but mere faction and division: and therefore, though the State was compelled to hold somewhat a harder hand to restrain them than before, yet it was with as great moderation as the peace of the Church and State could permit. And therefore, to conclude, consider uprightly of these matters, and you shall see her majesty is no temporizer in religion. It is not the success abroad, nor the change of servants here at home, can alter her; only as the things themselves alter, so she applies her religious wisdom to correspond unto them. still

retaining the two rules before-mentioned, in dealing tenderly with consciences, and yet in discovering faction from conscience¹. Farewell.

ELIZABETH.

“ Your loving friend,

“ FRANCIS WALSINGHAM.”

By the account Walsingham gives of the seditious pamphlets published by the Puritans, their menacing the government, and subscribing the discipline, it is plain this letter, though without date, was written not long before his death.

To proceed: secretary Knolles was another great favourer of the Dissenters, as has been observed. This gentleman was a much better statesman than divine: as to Church government, he was a downright Erastian; I shall transcribe his letter to sir Francis Walsingham upon this subject.

Sec Records,
num. 94.

“ On the 4th of February the parliament met at Westminster. There was little done this sessions relating to the Church, except an act for punishing those who took bribes for electing fellows, scholars, officers, and other persons in colleges, collegiate and cathedral churches, schools, hospitals, halls, &c. The statute likewise provides against simoniacal presentations: and here it is enacted, ‘ that the person who receives any sum of money for a presentation or collation, shall forfeit his turn, and the benefice or dignity shall lapse to the crown.’ And that those who either take or make any such simoniacal promise, grant, bond, covenant, or other assurance, shall forfeit the double value of any such benefice, dignity, &c. And the persons corruptly procuring, or accepting any such benefice, dignity, &c. is for ever disabled from enjoying it by any other title. And if any person shall receive any sum of money, or other benefit, for resigning a benefice with cure of souls, both giver and receiver are to forfeit the double value of the sum given.

An act
against
simoniacal
presenta-
tions, ordi-
nations, &c.

609.

“ And, lastly, Those who receive money, or other valuable consideration, for ordaining priests or deacons, or for licenses to preach, forfeit forty pounds, and the party so corruptly ordained, ten pounds; and whatever spiritual preferment he happens to gain, within seven years after such ordination, the

¹ Whatever was the amount of Elizabeth's Latinity, she seems to have understood the motto of Roman aggrandizement:—

“ Parcere subjectis et debellare superbos.”

WHIT-
GIFT,
Abp. Cant.

31 Eliz.

cap. 7.

Feb. 9,

1588-9.

Dr. Bancroft's Sermon at St. Paul's-cross against the Puritans.

statute declares all such benefices or promotions void, and that the respective patrons may dispose of them as if the clerk had been naturally dead."

That this parliament might be farther informed of the weak pretences and foul practice of the Puritans, Dr. Richard Bancroft preached a very learned and significant sermon upon this subject at Paul's-cross. This Bancroft was some few years forward preferred to the see of London, and at last to the see of Canterbury. His text for the purpose above-mentioned was 1 John iv. 1: "Dearly beloved, believe not every spirit, but try the spirits whether they be of God; for many false prophets are gone out into the world."

In prosecuting this text, he gave a strong image of the Puritans, and painted them in glowing colours; he set forth their intemperate language against bishops, described their ambition, and such other indirect motives that pushed them to mutiny and public disturbance. Amongst other things, he charges the party with covetousness; he laments that filthy lucre was frequently made the pretence for reformation; and that the prospect many people had of plundering bishoprics, seizing the endowment of cathedrals, and scrambling for the remainder of the Church revenues, was the principal cause of nonconformity and schism in this Church. He adds, that had not clear evidence driven him upon this censure, he should have forborne the imputation. To explain himself farther upon this head, he divides the nonconformists into clergy and laity, and considers their plea and pretensions apart. Their clergy made a warm demand of all the livings settled on the Established Church. These estates, they pretend, ought to be conveyed to their presbyteries. And for fear of being underfurnished, they put up a claim to the abbey-lands. To this purpose, in a petition to the parliament, exhibited in the name of the commonalty, they lay it down for a maxim in divinity, that things once dedicated to religious uses, are unalienable from their original intendment: when they are thus enclosed by vows and solemn conveyance, they ought never to be thrown open to the world.

Bancroft's
Sermon at
St. Paul's-
cross, p. 22.

The lay nonconformists were of a quite different sentiment, and ran boldly to a scandalous extreme. For this he quotes a pamphlet, called "An Admonition to the People of England." Our preachers, say these lay Puritans, ought to live

*Covetous-
ness one
motive to
false doc-
trine.*

by the example of Christ and his apostles. Now no one was more unprovided with conveniences than their Master. “He had no place where to lay his head.” And as for the apostles, their predecessors, “silver and gold they had none.” Why then should these men that go less in industry and merit be better accommodated? Why should those who are so much inferior to the apostles in their qualifications, exceed them in figure and preferment? There is no coarseness either in eating or habit, which men of their profession ought to repine at. Alas! their dignities and promotions do but hinder them in their business, and disserve their character.

ELIZABETH.
Luke ix.

Acts iii.

And to turn these men’s artillery upon them, and ruin them by their own reasoning, he borrows some of the principles of the German Anabaptists: and here he directs his discourse to the poorer sort of the audience in this manner:

The lay Puritans’ argument against the clergy turned upon them.

“My brethren,” says he, “these gentlemen of the laity use you extremely ill. The children of God, you know, are heirs of the world: ‘The earth is the Lord’s, and the saints are to inherit it.’ The wicked therefore do but usurp the blessings of Providence, and hold their estates by a wrong title. You have an equal share with those of the best distinction in the kingdom of heaven: why then will you suffer yourselves to be thrown out of your property upon earth, and acquiesce under so unequal a distribution? In the apostles’ times, the faithful had all things common: then those who had estates sold them, and laid the purchase-money at the apostles’ feet, and every one had his share in proportion to his necessity; and since the Christian religion is still the same, why is the usage so very different? But, alas! so it is: you are but little better than beasts of burthen to the wealthier sort. Your landlords make no scruple to rack your rents, to grind your faces, and exhaust your bodies. And to what end is all this oppression in liberty and livelihood? It is to maintain an unnecessary equipage, to humour their pride and feed their luxury: it is to supply their pockets for gaming, and furnish their diversions of hawking and hunting. And are these warrantable motives to keep the greatest part of the world low and uneasy? To make them wear out their lives in labour and poverty? Why do not you push for redress of these grievances, and revive the practice of the apostles’ times? To attempt something of this kind.

WHIT-
GIFT,
Abp. Cant.

would be charity to your wealthy neighbours, no less than yourselves. For these bulky estates of theirs do but pamper their pride, abate their zeal, and check their progress in virtue. Indeed, unless you make them primitive Christians in their fortunes, they will never be so in their lives ; unless you reduce them to evangelical poverty, and rescue them from their riches, they must be undone."

Bancroft's
Sermon.

Dr. Bancroft puts the question to the wealthier part of the audience, how they like this doctrine ? And if they are unwilling to have it practised upon themselves, they should take care not to urge it against the clergy.

Thus much for covetousness. To make the text bear upon the Dissenters in other respects, he shows on what a weak foundation they erected their discipline : that there was no trace of this scheme from the apostles' time down to Calvin : that the parity these men are so earnest to bring into the Church, was made a mark of infamy in the Arian heretics. Farther, he represented the great danger which must inevitably follow, if private men should contest the constitutions of the Church, and presume to over-rule that which had been settled by so considerable an authority. And as to their complaint of the rigour of forcing them upon subscription of articles, he endeavours to justify this imposition by the precedent of Geneva, and some other reformed churches in Germany. The doctor proceeds to insist upon the excellency and unexceptionableness of the Common Prayer-book ; shews what commendation had been given it by foreign divines : how it was approved by Bucer, Alesius, and Fox ; by the parliaments and convocations of this realm ; how archbishop Cranmer had defended it against the Papists, and bishop Ridley against Knox and others. And here he argues from the absurdity in extemporary prayers. And how often such unpremeditated devotions slide into indecency and irreverence. At his next advance he maintains the superiority of bishops over presbyters, argues for the civil supremacy, and alarms the audience with the danger they had reason to apprehend from the practice and principles of the disciplinarians. This sermon was managed with great learning and strength of argument, and in all likelihood made an impression. And of this the act of grace at the breaking up of the parliament, seems something of a proof ;

610.

Beza in
Vit. Calvin.
Melancthon
de Calum-
niis Osian-
dri.

for those who did not come to church, hear divine service, and conform themselves to the ecclesiastical establishment, were excepted from the benefit of this statute.

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31 Eliz.
cap. 16.

But before I part with the doctor's sermon, I must observe he charges the Dissenters with denying the regale, and transferring the pope's supremacy upon their presbyteries and ecclesiastical senates. This opinion he makes part of their heterodoxies in his "Dangerous Positions," &c.: and in his "Survey of the pretended Holy Discipline." To mention the articles upon which they are impeached. "In their whole book of discipline there is no mention of any authority or office in or over the Church, belonging to the civil magistrate. He has no vote or place in any of their synods, except he is chosen an elder: he has no power assigned him to convene a synod, neither is his assent required to any of the canons." And in his "Survey" he lays down more of their principles from Cartwright's tracts, and other writings of unquestionable authority. The propositions extracted are in these words:

Sermon,
p. 60. pre-
fixed to the
Survey, &c.

Bancroft's
Dangerous
Positions,
lib. 3. p. 97.

"The Christian sovereign ought not to be called the head under Christ, of the particular and visible Churches within his dominions. No civil magistrate hath pre-eminence (by ordinary authority) to determine of Church causes. No civil magistrate in councils or assemblies for Church matters, can either be chief moderator, overruler, judge, or determiner. No civil magistrate hath such authority, as that without his consent, it should not be lawful for ecclesiastical persons, to make any Church order or ceremony. No civil magistrate ought to receive either tenths or first-fruits of any ecclesiastical persons. The judgment of Church matters pertaineth to God: they ought ordinarily to be handled by the Church officers: the principality or direction of the judgment of them, is by God's ordinance pertaining to the ministry of the Church. And for the making of orders and ceremonies in the Church, they do (when there is a constituted and ordered Church) pertain unto the ministers of the Church, and to the ecclesiastical governors: and that as they meddle not with the making of civil laws, and laws for the commonwealth, so the civil magistrate hath not power to ordain ceremonies pertaining to the Church. The ministers are to determine of controversies as they arise, and to make or abolish needful or hurtful ceremonies. And farther, it is Cartwright's assertion, that in eccle-

*The Dis-
senter's prin-
ciples with
respect to the
civil supre-
macy.*

T. C. lib. 2.
T. C. lib. 1.
T. C. lib. 3.
Admon. 2.
Disciplin.
Eccles. &c.

Bancroft's
Survey of
the Pre-
tended Holy
Discipline,
c. 23. p. 259.

WHIT-
GIFT,
Abp. Cant.

*The sense of
the ancients
upon this
question.*

siastical causes, an infidel or profane magistrate has the same right with Christian princes."

Now it may not be improper to inquire into the sense of antiquity upon this question: that is, whether the Fathers stand on Bancroft's or the Puritans' side. And here it cannot be denied, the authority of the ancients must have a great weight in pronouncing upon the controversy. Their living so much nearer the apostolical times, must give them a preference to the moderns; and make them better judges of the privileges and practice of the Church.

See vol. 1.
of this
Church
History.

That this spiritual society was governed by officers of her own for the three first centuries, is beyond all question. Now whether the Fathers believed the civil magistrate's turning Christian removed the seat of ecclesiastical authority, and conveyed this spiritual government to the state: whether, I say, the conversion of princes inferred so great a change as this, in the opinion of the Fathers, is what I shall briefly examine. This question may be divided into two branches, that is, with reference to matters of faith and matters of discipline. That princes were not to settle controversies of faith, and overrule the decisions of the hierarchy in disputes of this nature, is supposed evident from the first four general councils. Thus the Arian controversy was examined and determined by the council of Nice, and not by Constantine the Great. Macedonius was declared a heretic by the council of Constantinople, and not by the emperor Theodosius: the heterodoxies of Nestorius and Eutyches were anathematized by the councils of Ephesus and Chalcedon: neither did the emperors Theodosius the younger, or Marcian, offer to discuss the doctrine, or interpose in the censure. This is frankly owned by the princes themselves: for instance, Theodosius the younger, in his letter to the council of Ephesus, makes no scruple to declare, "that it is utterly unlawful for a person not of the episcopal order, to concern himself in ecclesiastical debates." But that this declaration is spoken only with reference to matters of faith, appears by what goes before; "I have sent," says the emperor, "count Candidian to the synod, but with these instructions, that he is not to intermeddle in questions of belief, for that would be a very ill unjustifiable thing."

Ἀθῆμιτον
γάρ.
Ep. Theod.
Syn. Ephes.
pt. 1. c. 35.

When Valentinian, the emperor, was importuned by the eastern bishops to call a council for recovering the consubstan-

tial creed which had suffered under Constantius, he returned them this answer, "that himself being a lay-man, it was not lawful for him to interpose in affairs of this nature. You therefore," says he, "that are bishops, whose business it is to manage things of this kind, meet where you please." Upon this answer, the bishops held a synod at Lampsacum: but all that can be inferred from this testimony is, that the emperor believed points of faith foreign to his cognizance, not that he thought it beyond his prerogative to call a council; for it is plain he gives the bishops leave to meet. This return which Valentinian made to the bishops' request, he afterwards put in his rescript, that is, that debates concerning belief were to be decided by the clergy. St. Ambrose alleged this law when Valentinian the younger required him to dispute in the palace with the Arian bishop Auxentius: St. Ambrose pleaded this law in excuse of his refusal; "Let nobody," says he, "interpret this to obstinacy, since I only take the benefit of the law made by your majesty's father, of august memory." And then he cites the words of the rescript. For princes to define and govern in these matters, was a thing altogether without precedent, in St. Ambrose's opinion: he expostulates somewhat warmly with the emperor upon this occasion. "When did your majesty hear that lay-men ever tried bishops upon articles of belief? Can we practise flattery to that degree of abjection as to throw up the privilege of our character, and own that authority which God has given us, is transferred upon others?" The rest of this testimony has been already mentioned in Grindal's letter to the queen.

To give another instance for this point: the emperor Marcian declared in the council of Chalcedon, "That his coming thither was not to exercise any power in determining the controversy about Eutyches, but only to enforce the decrees of the fathers with the civil sanction."

And to conclude this head, St. Ambrose, at the council of Aquileia, reproaches Palladius, an Arian bishop, for betraying his character, and appealing to a temporal court to purge himself from heterodoxy. St. Ambrose professes he is perfectly ashamed of him, and pronounces him unworthy of his function.

Secondly, to examine the case of discipline: that is, whether the clergy are to answer for any misbehaviour in their office

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Sozom. lib. c. cap. 7.

611.

"In causa fidei vel ecclesiastici alicujus ordinis cum judicare debere, qui nec munere impar sit, nec jure dissimilis. Hæc enim verba rescripti sunt. Hoc est, sacerdotes de sacerdotibus voluit judicare." Ambros. lib. 5. epist. 35. Concil. Chalced. Act. 4.

"Ac per hoc quoniam et in hoc ipso damnandus est qui laicorum expectat sententiam, cum magis de laicis sacerdotes debeant judicare, eum pronuntio

WHIT-
GIFT,
Abp. Cant.

*sacerdotio
indignum."*

before the civil magistrate. This is a nice question, and I desire the reader would take me for a reporter.

Now the clergy may be considered, either as they are members in the State, or officers in the Church: under the first denomination they are undoubtedly subject to the laws and jurisdiction of the prince. The question is concerning their sacerdotal capacity: that is, when any question arises touching any defect in ordination, or breach of canons: in short, touching any thing which relates purely to their office, and lies within the compass of ecclesiastical discipline: the question is, I say, whether these are not privileged cases, and proper to the cognizance of the hierarchy: and whether the making constitutions for regulating this matter, is not a branch of that authority which our Saviour has lodged in his Church.

*"Deus vos
constituit sa-
cerdotes, et
nobis a Deo
dati estis ju-
dices: et
conveniens
non est ut
homo judicet
Deos; sed
ille solum de
quo scriptum
est: Deus
stetit in syn-
agoga Deo-
rum, in me-
dio autem
Deos judi-
cat." Ruffin.
Hist. lib. 1.
cap. 2.
The emperor
Constan-
tine's opinion
in the contest
with the
Donatists,*

To cite some authorities of the ancients, upon this question: when the bishops in the council of Nice happened to clash, and carried their grievances to Constantine the Great, the emperor refused to arbitrate the difference: his reason is very remarkable. "God, says he, has made you bishops, and given you a commission to be our judges, and it is by no means convenient, that a man should judge those who are called gods."

To proceed; the contest with the Donatists was a debate of this nature. The Donatists pretended the ordination of Cecilian, bishop of Carthage, was null: their exception was, that those who ordained him were traditors: that is, they had delivered up their Bibles to the heathens in the Dioclesian persecution: that this crime disabled their character, and brought Cecilian within the contagion. This was purely a crime within the function of an ecclesiastic: and here the question was, whether Cecilian was to be excommunicated; whether his ordainers were traditors; and whether a crime of that nature made them incapable of conveying a sacerdotal character. The Donatists, distrusting their cause, applied to Constantine the Great; the emperor wrote to Melchiades, bishop of Rome, and some other bishops of Italy and Gaul, to try the cause: these prelates gave judgment to Cecilian. Upon this, the Donatists appealed to the emperor, which he took very ill, and expostulates sharply with them for their perverseness.

*"Dico enim
(ut se veritas
habet) sacer-*

Amongst other things, he tells them "they ought to receive, the sentence of the bishops with the same regard as if our

Saviour had sat upon the bench." And a little after the emperor calls the Donatists "a company of madmen: and that by making so unaccountable an appeal, they managed like the devil's retinue."—"Officia diaboli perquirunt sæcularia, relinquentes cælestia. O rabida furoris audacia!"—Thus the emperor declined receiving the appeal, and ordered a council at Arles to decide the dispute. For as St. Austin relates, "neque enim ausus est Christianus imperator sic eorum tumultuosas et fallaces querelas suscipere, ut de iudicio episcoporum qui Romæ sederant, ipse iudicaret: sed alios episcopos dedit:" that is, to translate this passage softly, the emperor thought it an overhardy undertaking, to bring the cause to a rehearing before himself: at last, being fatigued with the importunity of the Donatists, he gave way to their application on purpose to stop their clamour: but then he designed to beg the bishops' pardon for bringing their decision to a review, and trying the cause after them.

Farther; when St. Athanasius was charged at the council of Tyre, with breaking the communion cup, and throwing down the altar, count Dionysius came into the synod with a guard to keep good order. This military appearance looked like menacing the council, and over-awing the bishops. Upon this score St. Athanasius complains of the figure and proceedings of this council. "If the bishops," says he, "are to be judges, and pronounce upon the cause, which way can the emperor be concerned in the assembly?"

In the next reign, when Constantius had convened some of the western bishops at Milan, to confirm the council of Tyre's sentence against St. Athanasius, Liberius bishop of Rome, Paulinus of Triers, Dionysius of Milan, Lucifer of Sardinia, and Eusebius of Vercelles, chose rather to be banished than comply. Now by the emperor's convening these bishops for this purpose, and the answers they gave for their refusal, it seems pretty plain, both sides were agreed, the deposing a bishop belonged to the jurisdiction of those of his own order. To give the reader a little of the discourse between Constantius and Liberius upon this occasion. Constantius begins with very hard words against Athanasius, solicits Liberius to conform to the synod of Tyre, and hold no communion with him. Liberius replies, "that the process in ecclesiastical courts ought to be managed with great equity:

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dotum iudicium ita debet haberi ac si ipse Dominus residens iudicet. Nihil enim his licet sentire, nec aliud iudicare nisi quod Christi magisterio sint edocti."
Inter gesta Purgationis Cæciliani et Felicis, in fine Optati.

August.
Epist. 162.
Lib. de Unic.
Baptis. Lib.
de Unit.
Eccles.
cap. 18.
Homil. 2d
in Psalm
xxxvi. lib. 4.
Contra
Crescon.
cap. 7.

Athan.
Apol. 2d.
The discourse between Constantius and Liberius.

WHIT-
GIFT,
Abp. Cant.

and therefore desires his majesty to convene a synod. That then, upon hearing the evidence on both sides, if it appeared Athanasius deserved a censure, it should pass upon him. But," says he, "we cannot condemn a man without allowing him his defence, and going through the customary forms of the Church."

Theod.
Eccles. Hist.
lib. 2. c. 16.

612.

The emperor, who was violently prepossessed against Athanasius, lets Liberius know, that the throwing this wicked man, as he calls Athanasius, out of his function, would be a greater satisfaction to him, than all the victories he had gained in the field. "Sir," replies Liberius, "do not make the bishops instrumental in revenging your private quarrels. The hands of ecclesiastics ought to be employed in blessing, rather than maintaining misunderstandings." The emperor requires him to subscribe Athanasius's condemnation, and he should have leave to go to his see at Rome, otherwise nothing but punishment was to be expected. The bishop replied, "that the supporting the constitution of the Church was much to be preferred to the living at Rome." The emperor, finding him thus immovable, banished him into Thrace.

Ibid.

In this discourse between Constantius and Liberius, there is something very remarkable of another kind. The emperor begins with him thus: "Since you are a Christian and a bishop in our capital, we thought fit to send for you, and require you to break off all religious correspondence with that wretch Athanasius." When Liberius refused to resign himself to Constantius's pleasure, Epictetus, a court bishop, interposed: "Sir," says he to Constantius, "Liberius's incomppliance does not proceed so much from a regard for the Nicene faith, or the authority of the Church, but because he has a mind to brag to the Roman senate, that he has foiled the emperor." Upon this the emperor falls hard upon Liberius: "What a small part of Christendom," says he, "do you make, that you should stand single in defence of an ill man, and disturb the peace of the Roman empire, and indeed of all the world beside?" To this Liberius replies, "Supposing I stand by myself in this matter, the cause is never the worse for want of company." For formerly there were only three that denied obedience to the king's command. Now if the modern doctrine of the papal supremacy had been received in this age, there is reason to believe that such lessening questions would not have been put by the

emperor, neither would Liberius have answered in so passive unpretending a manner. For had the court of Rome's claim for universal pastorship been then acknowledged; had the bishop of Rome been looked on as Christ's vicar; had his power been reckoned paramount to all the bishops of Christendom, Constantius would have saluted him in terms of greater regard, not sunk him to a common bishop; nor told him how slender a part he made with respect to the rest of his order. And, if the emperor should have thus far forgotten the pre-eminence of the bishop of Rome, it may fairly be supposed Liberius would have put him in mind of it. Liberius was a plain dealer, and a man of resolution, as appears by his manner before the emperor; it is very unlikely, therefore, he would be silent when his privileges were thus overlooked, and the honour of his see thus plainly attacked. And, on the other side, it seems no less evident, that could Constantius have deposed Athanasius by his imperial authority, he never would have solicited the Catholic bishops with so much earnestness.

The emperor, however, it may be, thinking himself concerned in honour not to yield, sent for the five famous bishops abovementioned, and commanded them to sign the sentence at Tyre against Athanasius, and communicate with the Arians. The bishops, strangely surprised at this order, told his majesty this was not agreeable to the proceedings of the Church. To this the emperor returned, "his pleasure was ecclesiastical constitution; that the bishops of Syria paid this deference to his commands, and therefore," says he, "either submit or be banished¹." This arbitrary manner was extremely new to the bishops; however, they were not all overset with the emperor's purple, but delivered themselves with a decent freedom. They put him in mind of the day of judgment, desired him not to maim the ecclesiastical authority, nor drive the regale too far into the Church. The emperor, being provoked with this remonstrance, would not suffer them to go on. In short, his passion was so far raised, that he drew his sword, and ordered them to be sent off. But afterwards, recollecting himself, he remanded some of them back, in hopes of shaking their constancy; but the event did not answer: for the holy bishops, as Athanasius expresses it, "shook off the dust of their

Μηδὲ ἐγκαταμίσειν τὴν Ῥωμαϊκὴν ἀρχὴν τῇ τῆς ἐκκλησίας διαταγῇ.

Paulinus, Dionysius, &c. answer to the emperor Constantius. Athanas. ad Solit.

¹ He conceived that by the divine right of emperors and kings he was more than a mere clergyman or a mere layman, and boldly regulated the Church as well as the State. p. 831.

WHIT-
GIFT,
Abp. Cant.

feet," disregarded the emperor's threatening, and went cheerfully into banishment.

Part of
Hosius's
letter to
Constantius.

The famous Hosius, bishop of Corduba, who presided at the council of Nice, adhered to Athanasius, and lay cross to the Arians' designs. This bishop had so great a reputation, that, unless they could bring him over, they despaired of carrying their point. The emperor therefore sent for him, and tried him every way, but to no purpose; at last he was treated very ruggedly, and before this, the emperor imagining such usage might make him relent, pressed him to comply in a letter. Hosius continued firm, and returned the emperor an extraordinary answer. He complains secular persons engaged too far in managing the impeachment against Athanasius. To speak in his own person: "I entreat your majesty that you would forbear your methods of violence, and neither write letters, nor send your secular judges to take cognizance of these matters. When was ever any thing of this kind done by your brother emperor Constans? When was any bishop banished in his reign? Or did he ever appear upon the bench to try causes relating to the Church and clergy? Or did any of his court-officers ever menace people to sign a sentence against any Churchman? I entreat your majesty would wave these proceedings. Remember you are a mortal man, stand in awe of the last judgment, and keep yourself unblemished against that day: do not interpose in ecclesiastical affairs, nor lay your commands upon us in things of this kind, but rather learn from us how these things are to be managed: God has entrusted you with the government of the empire, and us bishops with that of the Church. If any person should seize your administration, or surprise your prerogative, he would be guilty of breaking the divine ordinance; so be pleased to consider, the bishops have their proper jurisdiction; have a care, therefore, your drawing the business to your own cognizance, which belongs to ecclesiastics, does not make you deeply answerable. It is written, 'Render unto Cæsar the things which are Cæsar's, and unto God the things which are God's.' As civil government is no part of our claim, so neither does burning incense belong to your majesty. My regard for your salvation makes me write to you in this manner."

See Records,
num. 91.
Athanas. ad

This testimony of Hosius is very remarkable; and, that the reader may see his sense is fairly translated, I shall transcribe

the original into the records. This testimony, considering the person, is of no small weight. Now what character Hosius had in the Church of that age, may be collected from the report of the Arian bishops, his enemies, who we imagine would not exceed truth in his commendation. These men, in their address to Constantius, acquaint him, that unless Hosius was brought into their interest, all that either themselves or his majesty had done already, would signify nothing. "It is true," say they, "the bishop of Rome, and several other bishops, are banished; we have carried terror and severity through a great part of Christendom; but all your majesty has done for the cause will turn to no account, so long as Hosius remains upon his see; while this bishop continues possessed, all the rest of his exiled order are in effect at home, and un-reduced: for his persuasiveness, and the strength of his character, is sufficient to draw all the party down upon us. This man governs synods, and whatever he writes is every where heard and regarded. He drew the Nicene Creed, and proclaimed the Arians heretics all the world over. If this bishop therefore is suffered to live in his diocese, the banishing the others is wholly insignificant. Your way, therefore, sir, is to direct your prosecution principally against him, and do not let any regards of his age give check to your justice."

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Solit. Vit.
Ag. Epist.
p. 339.

613.

*Hosius's
character.*Id. ad Solit.
Vit. Agen.
p. 337.

By this address of the Arians, it is plain they reckoned Hosius a bishop of a greater figure, and one that swayed the interest of the Church more than Liberius himself. But if the pope had been looked on as the sovereign pastor, he would not only have been an overbalance to Hosius, but have outweighed the whole episcopal college. And if this had been the doctrine of those times, the Arians in all likelihood would never have solicited the emperor in this manner, nor laid the stress of the cause, as it were, upon Hosius's authority.

To proceed. The celebrated Athanasius himself remonstrates strongly against Constantius's proceedings, with respect to himself. He complains the emperor made use of one Epictetus, and three other unworthy court bishops, to set up Felix against Liberius; and that they consecrated this intruder in the palace, but that the people stood off from them, and refused to own their communion. And now, speaking of the emperor Constantius, he delivers himself in this manner. "In what (says he) has this prince come short of Antichrist? Or

*Athanasius's
remon-
strance
against the
proceedings
of Constan-
tius.*

WHIT-
GIFT,
Abp. Cant.

which way can Antichrist go farther at his appearing? Will he not find precedents from this court to plain his way, and carry on his imposture? For this prince invades the right of the consistory, makes his palace the court for ecclesiastical causes, and is both prosecutor and judge himself; and when he finds the indictment flag, and the evidence at a stand, his majesty sets forth the charge, and turns manager. And thus those who are unjustly delated, are overborne by force." He was plainly thus biassed with passion in Athanasius's cause; for when the bishops, Paulinus, Lucifer, Dionysius and Eusebius, took the freedom to produce the retraction of Ursacius and Valens's testimony against Athanasius, the emperor refused to give any credit to the record of their confession; but rising up in court, declared himself an evidence against Athanasius. Upon this the bishops told him, his majesty could not be a legal evidence, unless the person impeached was brought into court, and allowed to make his defence; that since it was not a matter of property, or civil justice, the emperor's testimony could not be taken upon content; that since a bishop was to be tried, Constantius would be obliged to wave his imperial character, to submit to the customary forms, and manage upon a level with the criminal. The emperor, as Athanasius goes on, taking this discourse for an excess of liberty, banished the four bishops; and now being more incensed against Athanasius, he published a severe proclamation, ordered the Arians his diocese, and gave them leave to manage at discretion. "These proceedings," saith Athanasius, "are frightful excesses, and lively representations of Antichrist. For who can see the emperor leading the pretended bishops, and presiding upon the ecclesiastical bench, without saying, 'the abomination of desolation spoken of by Daniel the prophet,' has received its accomplishment? For since this prince, who wears the character of a Christian, presses into the holy place, and standing there, harasses the Churches, overbears the canons, and makes them give way to his secular authority,—since things are thus managed, who can say the Christians enjoy any peace under this reign? Who can deny but that they are rather in a state of persecution, and such a persecution as never was heard of, nor it may be never will be, till it is raised by that son of perdition?"

2 Thess. ii.
3.
See Records,
num. 92.

Notwithstanding the great plainness of this remonstrance,

we do not find Athanasius censured by any of the ancients upon this score. St. Basil, St. Gregory Nazianzen, and many others of the fathers, give him an extraordinary character. And, which is somewhat more remarkable, Constantine junior, Constantine the Great his son, Jovian, Marcian and Justinian, mention him with great regard, and without the least abatement. Now this would scarcely have been done, had he abetted any ecclesiastic encroachment upon the crown. But to argue in defence of the learned bishop and famous confessor Athanasius, would be an injury to his memory, and a very unnecessary undertaking. St. Hilary, an eminent prelate and confessor, in his address to the emperor Constantius, speaks to the same meaning and plainness with St. Athanasius.

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Vid. Elogia
Veterum
Athanasio
tributa.
Athan. vol. 1.

To proceed: the emperor Marcian delivered in three articles to the general council of Chalcedon, to be passed into canons. He declares he reserved these points to be settled by them, thinking it much more proper they should be decreed by the council, than established by a civil sanction. This draught was passed into canons, but not in the same form drawn up by his majesty. Thus, though the emperor observed some instances of misbehaviour in the monks and clergy, which required discipline, yet he thought it too much to make a provision himself, but left the correction to the synod, as being the proper seat of authority for these matters.

Hilar. Lib.
ad Constant.
Several emperors' declarations against interfering in the discipline of the Church.
Concil.
Chalced.
Act. 6.

This council affords another remarkable instance: for here, in the case of Photius, metropolitan of Tyre, it is determined by the synod, that the imperial rescript is of no force against the canons: and yet this case related only to a contest of jurisdiction between a metropolitan and one of his provincial bishops. And which is farther observable, the emperor's rescript carried the whole authority of the civil legislature; for neither the nobility nor the commons had any share in making laws: this privilege was resigned long ago in the *Lex Regia*, which enacts the prince's pleasure a law; the words are, "quicquid principi placuit, legis vigorem habeat."

Farther, the western emperor Honorius was of the same opinion with Marcian, and speaks somewhat fuller to the point. The passage in his letter to his brother Arcadius, who reigned in the east, stands thus: "If any religious controversy happens among the governors of the Church, the matter ought

WHIT-
GIFT,
Abp. Cant.

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*“Cum si
quid de causa
religionis
inter anti-
stites agere-
tur, episco-
pale oportu-
erit esse ju-
dicium. Ad
illos enim
divinarum
rerum inter-
pretatio, ad
nos spectat
religionis
obsequium.”*

Justin.
Novel. 83.
cap. 81.

to be tried by the bishops; it is their business to interpret the divine laws, and ours to practise accordingly.”

The emperor Justinian's Novels run much to the same sense: “If any ecclesiastic's misbehaviour calls for correction, the matter shall be decided, and the punishment appointed by the bishops. Of these things the temporal judges shall take no cognizance; for we will not have business of this kind brought before them. Inquiries and prosecutions of this nature ought to be made in ecclesiastical courts, and corrected by the censures of the Church, pursuant to the regulation of the canons, and the tenor of our holy religion. Neither is the management of Church discipline in this manner any ways derogatory to the laws of our empire.”

To give another instance, nothing can be more full than the emperor Basilius's declaration at the eighth general council of Constantinople. “I pronounce it,” says this prince, “utterly unlawful for any lay-person whatever to debate any ecclesiastical argument, or to oppose the universal Church, or any œcumenical synod; for the discussing points of religion belongs to patriarchs, bishops, and spiritual guides, with whom God has entrusted the power of binding and loosing: for a layman, though never so well qualified in point of virtue, learning and discretion, is still but a layman; he is a sheep, and no shepherd. But on the other side, a bishop, though he fails remarkably in regularity, is notwithstanding a spiritual pastor, as long as his character continues upon him: and it does by no means become the sheep to rise upon the shepherd.”

Basil. Imp.
in Octav.
Synod. Act.
10. p. 682.
edit. Colon.

From hence it is evident the emperor bars himself, no less than his lay-subjects, from being judges in ecclesiastical affairs. Upon the whole, as the learned Beveridge observes, it is clear by this testimony, and the others above-mentioned, that the Christian emperors left the discipline of the clergy, considered as clergy, and all ecclesiastical contests, between those of their own order; and, in short, all Church matters of what kind soever, to ecclesiastical judges: that is, to the bishops who are commissioned by our Saviour for this purpose. And for this reason it is, that these emperors never made any laws for ecclesiastical regulations, either with respect to things or persons, till the matter of these civil provisions had been first decreed in some episcopal synod.

Beveridg.
Annot. in
Can. Conc.
Chalcedon.
p. 109, 110.

Farther, in the first council of Arles, held in the reign of

Constantine the Great, it is decreed, that if any magistrate who professed Christianity should break in upon the discipline of the Church, he was to be excommunicated.

And even in the reign of Constantius himself, who carried the regale much higher than any prince of those times, it is ordained at the council of Antioch, that if any bishop deposed by a synod should, instead of appealing to a more numerous council, apply to the emperor for redress, and refer the cause to his majesty, if any bishop should manage in this manner, he was not so much as to be heard by the episcopal college in his defence, nor ever to expect the recovery of his see. St. Chrysostom lost his archbishopric upon pretence of this canon.

As to matters of discipline, which relate to ceremonies and regulating the administration of divine service, these things seem to lie within the compass of the regale, and belong to the civil legislature; for did not the Jewish kings settle the course of the priests, and appoint the Levites their function? But to this it is answered, there is no arguing from the Jewish to the Christian constitution; for the learned De Marca observes, the Jewish kings' regulations in religious affairs were not without the consent of the Sanhedrim; and for this he cites their historian, Josephus. Now this great council consisted of a considerable number of priests and Levites, besides secular persons of condition. To this it may be added, that the high priest ordinarily presided in the Sanhedrim. It is replied, farther, that David, Solomon, and Hezekiah, had instructions from God Almighty to institute the new temple service, and govern the economy in the Church. As for the two first, it is plain they were prophets no less than princes; they were guided by inspiration, and wrote part of the canon. And as to the matter in question, the appointing the furniture of the temple, and settling the ministration of the priests and Levites, all this was done by particular direction from heaven. Thus David declared, "the Lord made me understand in writing by his hand upon me, even all the works of this pattern;" or, as it stands in the Vulgate, "all these things came to me written with the hand of the Lord, that I might understand all the works of this pattern." Thus David, by the instruction of the Holy Spirit, gave Solomon a model of the temple, and prescribed him the method for regulating the courses of the priests and Levites, and all the service of the house of the Lord.

ELIZABETH.

The decrees of the council of Arles and Antioch to this purpose.
Can. 6.
Conc. 1. Arelat.

Concil. Antioch. can. 12.
Socrat. lib. 6. cap. 18.

Πραξέτω δὲ μηδὲν ὁ βασιλεὺς εἶχα τοῦ ἀρχιερέως καὶ τῆς τῶν γεροντιστῶν γυνώμης.

De Marca de Concord. Sacerd. et Imper. lib. 2. cap. 5.

The Jewish kings acted by Divine appointment in religious affairs.

1 Chron. xxviii. 2 to 20.

2 Chron. xxix. 25.

1 Chron. xxviii. 11, 12, 13.

WHIT-
GIFT,
Abp. Cant.

But this is not all: this train of religious ceremonies was likewise prescribed by Gad and Nathan, which is supposed to answer the instance from Hezekiah; for it is said expressly, that this prince "set the Levites in the house of the Lord with cymbals, with psalteries, and with harps, according to the commandment of David, and of Gad, the king's seer, and Nathan the prophet; for so was the commandment of the Lord by his prophets." From hence it is inferred that Christian princes can draw no precedents for the regale from these instances in the Old Testament; for the Jewish kings governed in these matters by supernatural impulse, and prophetic direction; they did not act upon civil prerogative, upon any power resulting from the royal character; they declared plainly, their warrant came immediately from above; and that they had prophets sent to them on purpose to manage in this manner.

Thus far, therefore, the Puritans seem not ill fortified against Baneroft's attack. However, the doctor has not a few English bishops, and other eminent divines of the Reformation, in his sentiment. The doctor's opinion, in his own words, is briefly this: "That the king hath ordinary authority in causes ecclesiastical; that he is the chiefest in the decision and determination of the Church causes; that he hath ordinary authority for making all laws, ceremonies, and constitutions of the Church; that without his authority no such laws, ceremonies, or constitutions are, or ought to be, of force. And, lastly, that all appellations, which before were made to Rome, should ever be made hereafter to his majesty's Chancery, to be ended and determined as the matter now is by delegates." Now the question will be, whether these English divines of the sixteenth and seventeenth centuries, who fall in with Baneroft's doctrine, are consistent with the Fathers or not; that is, whether, in their discourses upon this subject, they do not either overlook some of the most considerable testimonies of the ancients, or fail in their reconciling answers, or advance contradictory assertions? If anything of this should happen, the cause would be somewhat perplexed: for it is a common saying, the stream runs clearest near the fountain-head. The primitive Doctors, being but a few removes from the Apostles, seem the best judges of the privileges and practice of the Church. These Fathers were some of them confessors for the fundamentals of Christianity, men of the

2 Chron.
xxix. 25.

See Dr.
Wake's
Appeal to
all the True
Members of
the Church
of England.

Sermon at
St. Paul's-
cross, p. 59.

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*The ancients
supposed
preferable to
the modern.*

bravest resolution, and highly recommended both for life and learning. The ancients, some people may say, compared to the moderns, are like Homer's heroes; they are, even single, an over-match for numerous bodies, and able to drive whole armies before them.

Dr. Bancroft having cited the Fathers against Cartwright, and the rest of the Disciplinarians, makes the comparison in these words: "For Mr. Calvin and Mr. Beza, I do think of them and their writings as they deserve: but I think better of the ancient Fathers, I must confess it." Now how far Bancroft's preference of the Fathers to Calvin and Beza will affect the testimony of the moderns, shall be left to the reader's consideration.

ELIZA-
BETH.

Survey,
p. 378.

That an absolute submission in ecclesiastical matters is not due from the Church to the crown; that princes have not any authority to dissolve the episcopal college, to strike the hierarchy dead, or arrest their functions at pleasure; that the civil sovereignty does not reach thus far, is granted by a late learned advocate for the regale. His words are these:—"Whenever the civil magistrate shall so far abuse his authority as to render it necessary for the clergy, by some extraordinary methods, to provide for the Church's welfare, that necessity will warrant their taking of them. When the danger is apparent, and the necessities of the Church will not bear the farther delaying of synods, and the prince does refuse to let them meet, they must rather venture his displeasure, and do it of themselves, than be wanting in such circumstances to the Church's safety and preservation."

An absolute submission not due from the Church to the regale.

These reasonable concessions put me in mind of a passage in Eusebius. This historian reports, that the emperor Licinius forbade the bishops to meet in synods; but this, says Eusebius, was an ensnaring impracticable command: this law could not be obeyed without subverting the constitution of the Church.

The Authority of Christian Princes over their Ecclesiastical Synods asserted, &c. p. 43.

Appeal to all the True Members of the Church of England, &c. Preface, p. xxiii.

Euseb. de Vit. Constant. lib. 1. cap. 51.

The learned gentleman above-mentioned, in his "State of the Church," &c. repeats the concessions in two other tracts more at large in these words: "Should we be ever so unhappy under a Christian magistrate as to be denied all liberty of these assemblies, though the governors and fathers of the Church should with all their care and interest endeavour to obtain it: should he so far abuse his prerogative, as to turn it not only to the detriment, but to the ruin of all true religion

WHIT-
GIFT,
Abp. Cant.

and morality among us, and thereby make it absolutely necessary for something extraordinary to be done to preserve both : in such a case of extremity, I have before said, and I still adhere to it, that the bishops and pastors of the Church must resolve to hazard all in the discharge of their duty : they must meet, consult, and resolve on such measures as by God's assistance they shall think their unhappy circumstances do require, and be content to suffer any loss, or to run any danger, for their so doing. For then the prince would only have the name of a Christian, but would act like an Infidel ; and so having thrown off the care and protection of the Church, it would naturally return to the bishops and pastors, to whom Christ committed it, to take upon themselves the care and protection of it."

State of the
Church and
Clergy of
England,
p. 86.

From hence it may be observed, first, that the bishops and pastors must be judges of the case when this necessity comes up ; otherwise the remedy is impracticable, and this expedient for preserving the Church signifies nothing. For we may be assured a prince, who acts like an Infidel, will never confess his rigour, publish his mal-administration, and tell the bishops when the calamitous juncture happens, when it is necessary for them to re-assume their authority, and act independently of the regale. Now if the bishops are judges of the necessity, the consequence is, that it will be lawful for them to act upon their own judgment, and exert their character, whenever they believe the emergency calls for it. From whence it will follow, the people will be obliged to acquiesce in the regulations of their pastors in spiritual matters, though contrary to the pleasure of the State. For if the bishops have a right to govern, it must be the people's duty to submit to their government.

I observe, secondly, that this learned author asserts, that Christ committed the care and protection of the Church to the bishops and pastors. But he is not pleased to give any evidence for the revoking this commission : that the pastors should be thus reduced only by baptizing a prince, and receiving him a lay-member into their society, is none of the clearest propositions. That the Church should lose her authority by making a prince " a member of Christ, a child of God, and an inheritor of the kingdom of heaven : " that the Church, by conveying so great a benefit, and administering so glorious a sacrament, should lose her power, and forfeit her charter for

government; that the case stands thus, I say, will require more proof than is obvious at first sight, or commonly produced upon this occasion.

ELIZABETH.

To proceed: Bancroft, in his 'Survey,' takes notice, that both Puritans and Papists go some lengths in their submission to the regale. For the Papists he cites the testimony of Harding, Fecknam, and Sanders. The words are these: "Good kings may put bishops and priests in mind of their duties, and bridle both their riot and arrogancy. The prince, by the word of God, may make laws for the observation of both tables, and punish the transgressors. I do here presently offer myself, to receive a corporal oath upon the evangelists, that I do utterly think, and am persuaded in my conscience, that the queen's highness is the only supreme governor of this realm, and of all other her highness's dominions and countries, &c. And further, I shall presently swear, that her highness hath, under God, the sovereignty and rule over all manner of persons, born within these her highness's realms, of what estate, ecclesiastical or temporal, soever they be. 'Fatemur, personas episcoporum qui in toto orbe fuerunt, Romano imperatori subjectos fuisse:' we confess, that the persons of all the bishops in the world were subject to the Roman emperor. 'Rex præest hominibus Christianis, verum non quia sunt Christiani, sed quia sunt homines, et quoniam ipsi episcopi sunt homines, episcopis etiam ea ex parte rex præsetet:' the king ruleth Christians, not as they are Christians, but as they are men; and because bishops are men, the king in that respect hath authority over them."

The doctrine of some learned papists touching the regale.
Harding against the Apo. 306, 307.
Hard. ibid. p. 303.
Fecknam to bishop Horne.

Saunders de Visib. Monarch. lib.2. cap. 3.

The famous De Marca, archbishop of Paris, discourses at large upon this subject: I shall give the reader his opinion in a few words. He asserts that the calling councils, and confirming their decrees, is a branch of the regal authority, and that the first general councils were confirmed by the emperors; and that these princes were addressed by the bishops to ratify their synods. And here, to prevent misconstruction, he throws in an explanatory sentence; that decisions of faith, and ceremonies relating to the sacraments, bind the conscience, without the intervention of the civil magistrate. However, it is part of the prince's office to maintain the canons, and reinforce the censures of the Church with penalties upon property or person. He grants that princes have a right to be present in councils, either in person, or by their representatives. That it is their

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De Concord. Sacerd. et Imper. lib.6, cap. 17. 22.
Id. lib. 2. cap. 10.

WHIT-
GIFT.
Abp. Cant.

privilege to see that nothing is acted in these assemblies to the prejudice of the State. For this reason, it is their business to inspect the canons, and examine their tendency, before they pass them into laws for the subject.

Id. lib. 2.
cap. 11.

That princes not only confirmed the councils in general, but sometimes selected particular canons for the civil sanction. And here Justinian has gone farther than all the rest of the emperors: and yet De Marca is of opinion he has not exceeded in the exercise of the regale. "For," as the bishop continues, "he has not made any provisions altogether new, in matters purely ecclesiastical: he has only taken some of the old canons into the laws of the empire, and enlarged some branches of them: that this is no more than what belongs to a Christian prince: and that he is bound by his religion to make laws in defence of Christianity."

August.
contra Cres-
con. lib. 3.
cap. 51.
Id. Epist. 50.
ad Boniface.

That the emperor Justinian managed with this reserve, appears by his rescript. "It has always been our princely care," says he, "to preserve ancient custom and discipline, which we never set aside unless by way of farther improvement; and that this has been more especially our maxim in ecclesiastical affairs. For these things are the regulations of the Fathers, or rather the suggestion of the Holy Spirit. For whatever is decreed by apostolical authority, is certainly the appointment of heaven." And a little after he adds, "We look upon ourselves as guardians and protectors of antiquity."

Jussio Jus-
tin. pro Pri-
vileg. Conc.
Byzac.
Justin.
Novel. 6.
c. 1.
Θεσπιζομεν
τοινυν τοις
θεοις δια
παντων
επομεινοι
κανονιν.
Nov. 123.
c. 36.

Thus, for instance: this emperor's constitutions concerning the offices, behaviour, and privileges of the clergy and religious, are all drawn, either from the old canons, or customary practice. Thus much is confessed by Justinian himself: that the emperor's explaining himself to this inoffensive sense, made his Novels received by the eastern and western Church without remonstrance or opposition.

Κελεύομεν
κατά τοὺς
μοναχικοὺς
κανόνας
et passim
similia verba
occurrunt.
De Concord.
Sacerd. et
Imper. lib. 4.
cap. 2.
Ibid. p. 233.
Id. lib. 2.
cap. 10.

De Marca goes on in his acknowledgment of the regale: he maintains that princes are so far guardians of the canons, that they may lawfully displace bishops uncanonically possessed. That in virtue of their Christianity, they are bound to promote the interest of the spiritual society, of which they are members: and therefore, that it is part of their office to prevent the growth of scandal in the Church, and give check to schism and heresies. Neither is this assisting the Church with the secular authority, any office ministerial to the hierarchy, any

stooping to the mitre, or disadvantage to the royal character. On the contrary, it is an independent branch of the civil sovereignty ; it is a function resulting from the authority of a Christian prince : of a Christian prince, to whose government it belongs to promote the service of God, the honour of our Saviour's kingdom, and the interests of the other world. And, lastly, that De Marca may not seem to overshoot in his concessions, he reports a passage, with approbation, from Facundus Hermianensis. This author was an African bishop, and lived in the reign of Justinian. Now this emperor happened to interpose in the controversy of the Three Chapters. This Facundus thought altogether foreign to the cognizance of the secular magistrate. He endeavours therefore to persuade princes to draw in this compass of the regale, and manage by the precedent of the emperor Marcian : his words are to this sense : " That reserved prince of famous memory, was very sensible that king Uzziah's attempt to sacrifice was not unpunished ; and yet this ministration was lawful to every priest, though of the second order : by greater force of consequence this religious emperor was convinced, that it was not within his authority to discuss those articles of Christian faith which had been regularly settled ; that an inquiry of this kind, or the making new canons, belongs to none but a synod of bishops. For this reason he was contented with the civil prerogative ; he only fortified the Church constitutions with penal laws, but declined advancing so far with the regale, as to make any new canons."

ELIZABETH.

Facund.
Hermian.
lib. 12.
cap. 3.

And this may serve for a taste of the opinions of some of the learned Papists, not wholly bigotted to the court of Rome. To go on, and give the reader an account, in a word or two, what the old Dissenters delivered upon this subject.

" Our meaning is not (saith Cartwright) utterly to seclude the magistrate out of our Church meetings, for oftentime a simple man, and (as the proverb saith) the gardener hath spoken to good purpose, &c. He may be assistant, and have his voice in such assemblies. The prince may call a council of the ministry, and appoint both the time and the hours for the same. The civil magistrate is not utterly to be excluded from such assemblies as do meet for the deciding of Church causes and orders : he may be there assistant, and have his voice, but he may not be either moderator there, nor determiner, nor judge. Neither may the orders or decrees there made, be said

*The Dis-
senter's sen-
timents upon
this question.*

T. C. 2. 2.
p. 164. 167.
T. C. 2. 2.
p. 157.
T. C. 96.
161.
T. C. 2. 2.

WHIT-
GIFT,
Abp. Cant.

Ibid. p. 156.

Ibid. p. 161.

T. C. 2. 2.

p. 157.

T. C. 1. 2.

p. 193.

T. C. 2. 2.

p. 156.

Baneroft's

Survey,

chap. 23.

to have been done by the prince's authority. And therefore, in times past, the canons of councils were not called the emperor's but the bishop's decrees. Princes may be assistant in councils, and ought to defend the same assembled: if any behave themselves there tumultuously, or otherwise disorderly, the prince may punish him. The prince ought to confirm the decrees of such councils: to see the decrees executed, and to punish the contemners of them."

Here Baneroft observes, that the doctrine of the Puritans is much the same as that of the Papists upon this head: and this he urges as a disadvantage to their cause. But, with due regard to his memory, this objection has little weight: for the agreement between the Papists and Puritans in any point of religion, does not prove the thing either true or false. For neither of these communions are always right, or always wrong. And this may serve for a short view of the argument touching the regale. And here again I desire the reader to take me but as a reporter of part of the controversy: not that I pretend to determine the question, or fix the barriers between the Church and the State¹.

The Puritans' plea for Church power insufficient.

617. But then, in the next place, whatever independent authority may belong to the Church, the Puritans can make out no claim to this privilege. The Dissenters mistake the seat of ecclesiastical jurisdiction, and lodge it in wrong hands. Churches consisting of presbyters without a bishop at the head of them, were altogether unprecedented in the primitive times, and what the ancients by no means allowed of. To make good this assertion, I shall briefly prove these two things.

First. That the order of bishops, from the beginning of Christianity, was distinct from that of presbyters, and superior to it.

Secondly. That orders conferred by presbyters were reckoned null and insignificant by the ancient Church.

To prove the first point, it may be observed, that our Saviour, who founded the Christian Church, was the first and sole bishop, or chief governor. For while our blessed Saviour continued upon earth, the Apostles did not execute the episcopal function; they neither ordained, nor acted in the exercise of ecclesiastical jurisdiction; they only baptized and preached

¹ This elaborate disquisition on the regale may refute the error of those who consider kings merely as laical and civil officers. By this popular delusion, monarchies are changed into democracies.

the Gospel, which is the proper business of presbyters or priests. But our Saviour, at his ascension, transferred his power for governing the Church upon his Apostles, and vested them with the episcopal authority. The form of consecrating them to this office is set down in these words, "Peace be unto you; as my Father hath sent me, so send I you. And having said this, he breathed upon them, and said unto them, Receive ye the Holy Ghost." It is granted our Saviour had ordained his Apostles before this time; but then it was only to preach the Gospel, and work miracles. But it was not till after his resurrection that he gave them their commission in these solemn words, "As my Father hath sent me, so send I you." It was now he conveyed a fuller communication of the Divine Spirit, by the circumstance of breathing upon them, and saying, "Receive ye the Holy Ghost." From whence it is plain, that by this last and more solemn ordination, the Apostles were raised to a greater dignity, and had new powers given them; that is, they had a power to ordain others, and exercise ecclesiastical discipline. By the suggestion of the Holy Spirit, three other Apostles were added to the eleven; that is, Matthias, Paul, and Barnabas. These fourteen being clothed with a full authority for governing and perpetuating the Church, ordained presbyters and deacons to a share in the administration. Now, since those who were commissioned to govern in chief, and constitute these subordinate officers, were afterwards called bishops; for this reason the Apostles are likewise styled bishops, by several of the Fathers. And thus even the apostolate is called ἐπισκοπή, or a bishopric, as it is translated. This episcopal authority was for some time the privilege of the Apostles, and managed only by them; but Christianity spreading upon the progress, and the death of the Apostles beginning to draw near, they communicated their governing character to others, and fixed them in distinct churches; and thus the first powers were derived from one age to another, and this spiritual society made immortal. For instance, Evodius was vested with this extent of authority, and fixed in the see of Antioch; Linus and Clemens were made bishops of Rome; and, to mention no others, Titus had the same episcopal post in Crete, and Timothy at Ephesus. That Titus exercised the function of a bishop in Crete, is affirmed not only by Eusebius, Theodoret, St. Ambrose, St. Jerome, ELIZABETH.

John xx.
21, 22.

Mark iii. 13,
14.

Matth. x. 1.

Three orders with different degrees of power settled in the Church by our Saviour and his apostles.

Acts i. 26.

xiii. 2.

Gal. i. 1.

Acts xiv. 23.

Acts vi. 6.

Cyprian.

Epist. ad

Rogatian.

Ambros.

in Ephes.

cap. 4. p. 2.

Ephiphan.

Hæres. 27.

par. 6.

Acts i. 20.

Tit. i. 5.

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and others, but likewise by St. Paul himself. That Timothy managed with the same advantage and superiority, appears by St. Paul's instructions to him. The Apostle cautions him against ordaining any persons without a previous inquiry, and that "he should not receive an accusation against an elder, unless supported by two or three witnesses." Now, to what purpose were these directions sent to Timothy, unless he had a commission to ordain and try causes, an authority to constitute and govern presbyters? Thus St. Paul, in his Epistle to the Philippians, mentions Timothy as a colleague, and joint commissioner with himself; and the Epistle is directed to the Philippians in the name of both. The text is, "Paul and Timotheus, the servants of Jesus Christ," &c. These two are mentioned together with marks of distinction, as persons of the first class in the Church. The two inferior orders are set forth in the latter part of the verse in these words, "with the bishops and deacons." That these were of a different rank from St. Paul and Timothy, may be collected from the order of the text, and the manner in which they are mentioned; and that by the denomination of bishops, we are only to understand presbyters in this place, is affirmed by St. Chrysostom, Theodoret, and St. Jerome, in their homilies and comment upon the text. Particularly Theodoret reports, that "in these early times, those who were the chief governors in the Church, and had the power of ordination, were scarcely as yet styled bishops, but angels and Apostles." And here this Father observes, that, "not only the twelve disciples chosen by our Saviour, but likewise the seventy, Paul and Barnabas, and a great many others, were called Apostles. Those (says he) who are now called bishops were then styled Apostles." Upon this ground, he affirms Epaphroditus, who carried this Epistle to the Philippians, had an episcopal character, because St. Paul calls him their Apostle. Farther, it is generally agreed by the Fathers, that in this age of the Apostles, presbyters were called bishops. And for this reason the Syriac translation, as the learned Beveridge observes, renders these words, *σὺν ἐπισκόποις καὶ διακόνοις*, 'with the presbyters and deacons.' And, which is very remarkable, in almost all places of the New Testament where the word *ἐπίσκοπος*, or bishop, occurs, it is

1 Tim. v.
19-22.
Philip. i. 1.

Apocalyps. i.
20. ii. 1.

Theod. in
1 Cor. xii. 28.
Id. in 1 Tim.
iii. 1.

Phil. ii. 25.
Theod. in
Epist. ad
Philip. i.
1, 2.

Phil. i. 1.

1 Tim. iii. 2. translated by 'presbyter' in the Syriac version. And thus Tit. i. 7.
1 Tim. iii. 1. *ἐπίσκοπος*, or the office of a bishop, is translated 'the office of a

presbyter.' Now, it is difficult to conjecture what can be the reason of translating in this manner, excepting this, that when this version was made, bishop and presbyter were equivalent terms, and used to mark persons in the same office. However, it is plain, by the records of antiquity, that either towards the end of the Apostles' times, or very soon after, the terms bishop and priest were distinguished, and carried a different idea; and that those to whom the Apostles conveyed their authority, and left for their successors, took the distinction of bishops, as most suitable to their office, and quitted the title of presbyter, or priest, to those of the second order¹.

ELIZABETH.

Iren. lib. 3.
cap. 3.

But here it may not be improper to take notice, that the Presbyterians endeavour to wrest the first verse of the first chapter to the Philippians from the exposition above-mentioned. And from St. Paul's mentioning the bishops and deacons, they conclude there were but two orders of ecclesiastics in the Apostles' days; and that these two distinctions were only presbyters and deacons. Their reason for this last assertion is, because the text does not throw in any third order between bishops and deacons; but how slenderly they are founded, and how ill their inference is drawn from the Apostles' words, may be easily shown.

The Presbyterians' argument from the 1st of Philip. c. 1. considered.

618.

For first, Epaphroditus, who is supposed to have been constituted bishop of Philippi, by the Apostles, was at Rome when St. Paul wrote this Epistle, and was afterwards sent with it unto Macedonia. Now, since Epaphroditus carried this Epistle, what reason is there for saluting him with the bishops, as they are called, fixed at Philippi? Farther: granting Epaphroditus was not promoted to the see of Philippi at the writing of this Epistle, yet the highest order of the clergy, that is, a bishop, strictly taken, may be comprehended under this form of salutation, no less than presbyters of the second class. And therefore, supposing Epaphroditus were not bishop of Philippi, they might have another single and distinguished governor in that station. But to make a farther concession: Supposing the Philippians had no single governor paramount to the presbyters when St. Paul wrote to them, it will by no means follow that there were only two orders of ecclesiastics in that city; for can it be imagined there was no Apostle presiding over the

Phil. ii. 25.

¹ Collier here seems to identify priests with presbyters: as if "new presbyter were but old priest writ large." Many critics, however, have taken important distinctions between them.

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bishops and deacons? It is not to be supposed that the Apostles should forbear taking care of the Churches as soon as they were founded, and quit the helm before they had furnished every Church with a distinguished and peculiar governor; and that some Apostle sat in the chair of Philippi, and not only presided over the Church, but left a successor in the same station, is expressly affirmed by Tertullian. Now, this Father, living so near the Apostles' age, must be allowed an unexceptionable evidence. His words are these:—"You (says he) that are disposed to make an exact inquiry into the history of your salvation, take a view of the apostolical Churches, where the chairs they presided in are to be seen; where their Epistles are read in their own hand. By which remains, the very voice and portrait of them are, as it were, sounding in the ears of the audience, and preserved to the present age. For instance: Do you dwell near Achaia, you have Corinth for this purpose; if you do not live remote from Macedonia, Philippi and Thessalonica will give you the same satisfaction; if you travel into Asia, you have Ephesus for another apostolic see; if you border upon Italy, Rome has the same honourable privilege."

Tertull. de
Prescript.
adversus
Heret. c. 36.

Here the reader may see Philippi is reckoned among the rest of the cities where the Apostles had the chair, and presided in person; and that a succession of bishops was continued upon these sees with particular marks of honour. That this succession was continued till Tertullian's time, is evident by this sentence, above-mentioned, "*Apud quas ipsæ adhuc cathedræ apostolorum præsidentur.*" Now, considering the Philippians had so generously furnished St. Paul with conveniences; since he treats them with such particular regard, as to send them this canonical Epistle; and especially since the Church of Philippi was founded by this Apostle;—for these reasons it is likely St. Paul might keep the charge of this see in his own hand till, upon the prospect of his martyrdom, he settled a successor. But there is no need of insisting farther upon this. That neither St. Paul nor Timothy were plain presbyters nor deacons, but an order superior to both, is confessed by the Presbyterians themselves. They affirm, likewise, that by bishops, in the place above-mentioned, we are to understand presbyters. From this concession it evidently follows, that there were at least three orders in the Church when the Apostles were alive; and it is certain the first order of these three was, at their decease, everywhere settled. Now,

Acts xvi.

Philip. i. 1.

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how this distinction could have gained such an early establishment, unless founded by the Apostles, is unimaginable to conceive. That the form of Church government was monarchical, and under the conduct of the bishops towards the latter end of the Apostles' times, and so forward, appears from unquestionable records. To produce something of this kind, Clemens Romanus, constituted bishop of Rome by the Apostles, endeavours to recover the Corinthians from their turbulent humours, and presses their keeping within the compass of their station, in these words:—"The high priest (says he) had this peculiar business prescribed: the priests of the second order had their posts assigned them, and the Levites had ministrations particular to their distinction; and laymen likewise are tied to peculiar duties. I would have all of you, my brethren, keep within your own station, and not break through your bounds into foreign business."

Clem. Rom.

1 Epist. ad
Corinth.

From hence, it is plain Clemens Romanus describes the Christian hierarchy under the same names and distinctions as they stood ranged in the Jewish economy. His reason must be, that this distribution of the priesthood was thought proper for Christianity, and that our Saviour and his Apostles had transferred it from the synagogue to the Church. And thus several others, besides Clemens Romanus, call the bishop high priest, the presbyter *ἐπισκοπος*, and deacons Levites. That St. Clemens points at the orders of the clergy then settled in the Christian Church, appears plainly from what follows after his recital of the distinction of high priest, priest, and Levite. "My brethren, (says he) let every one of you be careful to move within his station," &c. From hence it may be clearly inferred, that the foregoing distinctions in the synagogue were applicable to the case of the Corinthians; that their hierarchy was in some measure formed upon the Jewish model; that the bishop was in lieu of the high priest, the presbyters of the inferior priests, and the deacons represented the Levites; and that these three orders had their assignment of peculiar business. And therefore he exhorts all of them to keep within the bounds of their respective employments. Neither is the passage which follows soon after in this Epistle any contradiction to what is here delivered. The passage is this: "that the apostles, after our Saviour's resurrection, ordained their first converts bishops and deacons in the places where they travelled;

The Christian hierarchy founded upon the model of the Jewish.

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and that this was done for the benefit of those who should afterwards turn Christians."

619.

But here the reader may observe it is plain, from the citation, that St. Clemens does not describe the Church as it was then constituted, but as it stood immediately after our Saviour's resurrection. However, even then there were three distinctions in the clergy. First, apostles; next, bishops, or presbyters; and, under them, deacons. Bishops, in the commonly received sense, succeeded to the apostles; but then it was not necessary the apostles should raise the episcopal character for succession, till they were almost ready to retire themselves. But that they did fix the settlement of three orders in the Church, is plain, by the testimony of St. Clemens already cited. Neither could this holy bishop be ignorant under what divisions, under what diversity of powers, the apostles had ranged the officers of the Church, since himself was made bishop of Rome by St. Peter or St. Paul.

*Ignatius full
for three
distinct
orders.*

Farther: the famous St. Ignatius governed the see of Antioch before the death of Clemens Romanus; he likewise held a correspondence with some of the apostolical college, it is therefore impossible he could be unacquainted with the form of government constituted by the apostles, with the different orders they had settled in the hierarchy; and the proportions of power assigned to each of them. Now St. Ignatius, in those epistles which unquestionably belong to him, frequently mentions the three orders of bishops, priests, and deacons; and here the bishop is always distinguished as their supreme.

Epist.
Ignat. ad
Magnes. ad
Trallian. ad
Philadelph.
ad Ephes.
ad Smyr-
nens. et
alib.
*Further
proof for
this point.*

Thus it is evident, that at the end of the apostolical age, at least, there were three distinct orders settled in the Church; and that they were afterwards kept on, is no less unquestionable. For instance, in the year of our Lord 142, which at most is but three-and-forty years after the death of St. John, Pius I. was promoted to the see of Rome. This prelate, in an undoubted epistle of his to Justus, bishop of Vienne, speaks thus: "Since the brethren have elected you bishop of the noble city of Vienne, let the episcopal habit put you in mind of your duty, and take care to manage up to the function to which our Lord has called you." And a little after he subjoins: "Let the priests and deacons regard you as the servant of Christ." Here Justus, the bishop, and his priests and deacons, are distinctly mentioned.

Episcoporum
vestitus.
Beveridge's
Pandect.
Canon.
Annot.

In the year of our Lord 180, Irenæus was bishop of Lyons. This eminent father expressly affirms, that the bishops succeeded the apostles; and that the apostles put the government of the Churches into their hands. He likewise mentions presbyters or priests in several places. As for deacons, they occur but seldom in his writings. However, nobody denies the settlement of this order from the beginning: from whence the consequence is, that in Irenæus's time there were three distinctions of the clergy in Gaul; and that in this early age the Churches in Alexandria and Carthage were furnished with the three orders above-mentioned, is evident from the testimonies of Tertullian, Clemens Alexandrinus, and Origen. "The high-priest," says Tertullian, "that is, the bishop, has the original right of administering baptism; from hence it is derived to the priests and deacons, but not unless they have a commission from the bishop." And elsewhere, speaking of the floating condition of heretical communions, he observes, "their bishops were frequently thrown out of their character, and that their priests and deacons were promoted to those orders without proper distances of time." Clemens Alexandrinus mentions the three different ranks of bishops, priests, and deacons, and believes them "founded upon a resemblance of the angelic orders." Origen, upon the 15th of St. Matthew, has these words: "Such a bishop," says he, "does not desire a good work; and you will say the same thing concerning priests and deacons." And in his second homily upon Numbers, in his second homily upon the Canticles, and elsewhere, he makes express mention of bishops, priests, and deacons.

From all these authorities of the ancients, nothing can be more evident than that the three distinct orders of bishops, priests, and deacons, were settled immediately after the death of the apostles; and that not in a few places, but in Asia, Africa, and Europe; that is, in all parts of the then known world. Farther, the officers of the Church being thus generally and early ranged under these distinctions, this, if we had no other proof, would sufficiently demonstrate that these three orders were of apostolic institution: for it is unimaginable to conceive that all the churches of Christendom, so remote from each other, should agree in the same form of government, in the same ecclesiastic distinctions, unless this institution had been conveyed

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Iren. lib. 3.
cap. 3.
Id. lib. 3.
cap. 2. et
alib.

Tertull. de
Baptism.
cap. 17.

Id. de Pre-
script. ad-
vers. Heret.
cap. 41.

Stromat.
lib. 6.

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to them by the apostles, from whom they received their Christianity.

And lastly, it is particularly remarkable, that no canons, no decree of any council, no writings of any of the fathers, mention either the raising or confirming of any of these three offices. It is true the ancient canons afford a great deal touching the ordination of bishops, priests, and deacons; they regulate their functions, and settle the respective limits of each order: but neither canons, councils, nor fathers, mention their being first instituted in any part of Christendom, by any authority, excepting that of the apostles. Neither indeed was it in the power of any council to transform the original government, to introduce new orders, and bring a change upon the apostolic institution; for it was a privilege peculiar to the apostles to determine the form of government, and settle the distinctions of the clergy, no less than to deliver the articles of belief.

Secondly, I shall now prove in a few words, that orders conferred by presbyters, have been all along reckoned null and insignificant. The learned Beveridge observes, that from the beginning of Christianity to the sixteenth century, no person was ever looked on as one of the inferior clergy, much less a priest, unless he was ordained by some bishop; and that this was the opinion of the universal Church for fifteen hundred years together. To give some instances: when the second general council at Constantinople had pronounced Maximus no bishop, they immediately add, that those ordained by him should not be allowed any ecclesiastic character. Thus when

Athanasius was charged by the Arians, that Macarius, one of his deacons, had broken the communion cup; a synod at Alexandria meeting at that time, examined this article. And here, upon inquiry, they found there was neither priest nor deacon where the profane outrage was said to be committed; there was no ecclesiastic in that place, excepting one Ischyrras, who pretended himself ordained by one Colluthus: now upon examination it was found this Colluthus was no more than a presbyter or priest. Upon this the synod pronounces Ischyrras no priest, nor in any clerical station; and that he was no more than a mere layman. The words of the synod being very remarkable, I shall give them the reader. "How came Ischyrras to be a priest? Who ordained him? Was it Colluthus?

*Orders given
by none but
presbyters,
always ac-
counted null
for the first
1500 years.*

*Concil. C.P.
Can. 4.*

Yes, matter of fact stands thus. Well, but Colluthus being never any more than a priest, all his ordinations have been declared null; and those promoted by him were pronounced laymen, and treated as such; that they were received to the holy eucharist no otherwise than those of the laity; and that this was so evident that nobody could deny it."

ELIZABETH.

620.

Athanas.
ad Imperat.
Constant.
Apol. p. 732.
edit. Paris.

This declaration of the Alexandrian synod is confirmed by the council of Sardica, where Ischyrras is disclaimed from being a priest. "The Arians," say these Fathers, "rewarded Ischyrras for his false evidence, with the title of a bishop, though the man is not so much as a presbyter."

Theod. Hist.
Eccles.
lib. 2. cap. 8.

It is no wonder, therefore, that St. Jerome, though a great champion for the privilege of presbyters, should own the authority for giving orders peculiar to bishops.

"*Quid facit,
excepta ordi-
natione,
episcopus,
quod pres-
byter non
faciat?*"

From this practice and declaration of the Church, Gregory III. lays it down for a rule, that when it was questionable whether the person who ordained a priest was a bishop or not, the person was to be re-ordained by the diocesan before he was admitted to any priestly function.

Hieron. ad
Evagrium.
Greg. III.
ad Bonifac.
Epist. 2.
apud Gratian.
distinct.
68. cap. 2.

This regulation was so religiously observed by the ancient Church, that the second council of Seville being informed, that at an ordination of a priest and two deacons, the bishop being troubled with sore eyes, only laid his hands upon them; but that the solemn benediction, or form in the ordinal, was pronounced by a presbyter;—upon this information the council decreed, "that this ordination carried scandal, but nothing of authority with it; and therefore it was highly reasonable they should be set aside, and disclaimed in their respective pretensions." And this may serve for the proof of this point. From hence the reader may conclude, that if Calvin, Beza, or any other abettors of Presbyterian parity, had lived in the time of the Fathers, they would have been very indifferently received. This may easily be collected from the principles and practice of the universal Church. To give another instance: what was it that marked Arius and his party for heretics? Was it not their confounding the character of bishops and priests, and setting them on the level? I do not speak this to reproach the Dissenters, or suggest any methods of rigour; my intention is only to rescue them from their prejudices, to bring them to recollection, and awaken them out of their schism. But now it is time to come off the digression; if

Concil.
Hispal. 2.
c. 5.

WHIT-
GIFT,
Abp. Cant.
A. D. 1588.

that which lies within the matter of the history, and improves the serviceableness of the work, may properly be called so ¹.

March 19.

To proceed : having mentioned what was enacted in the last parliament, with reference to the Church, I shall observe what was done in convocation. This assembly met at St. Paul's on the 13th of November ; there was nothing done, excepting the grant of two subsidies, till the fifteenth session. And now the archbishop brought in certain orders to be observed through the whole province.

*Regulations
for the clergy
made in con-
vocation.*

First, That single beneficed men should be obliged to constant residence : but here was an exception of liberty for prebendaries, and chaplains to the king, or some peer. There was likewise a saving for those who were allowed non-residence by act of parliament. However, in these cases they should be compelled to keep a licensed preaching curate.

Secondly, Double beneficed men were to reside equal proportions of time upon their respective livings, and to provide a licensed curate where they are absent.

Thirdly, Beneficed men absent an hundred and twenty days, were to keep licensed curates.

Fourthly, Scandalous ministers, guilty of notorious crimes, must be removed, and never admitted to any cure.

Fifthly, Unlearned ministers, underqualified to catechise, are barred admission to any cure.

Sixthly, None shall be allowed to place or displace a curate without authority from the archbishop or bishop of the diocese.

These orders, drawn by the archbishop, were agreed to by both houses, who promised to obey and execute them. This convocation was dissolved by the queen's writ and the archbishop's commission, on the 2nd of April following.

The Ex-
tracts from
Convocat.
Journal.
*Seditious
pamphlets
published by
the Puri-
tans.*

This year some seditious, no less than heterodox pamphlets, were published by the Puritans. I shall mention some few of the assertions. It is therein affirmed, "that if princes hinder them that seek for this discipline, they are tyrants both to the Church and ministers ; and being so, may be deposed by their subjects. That they which are no elders of the Church, have nothing to do with the government of it. That if their reformation be not hastened by the magistrate, the subjects

¹ This digression respecting ecclesiastical orders is particularly elaborate and complete. The Presbyterians, however, are sufficiently hardy to contest all arguments in favour of episcopacy, and ingenious enough to evade the blows they cannot parry.

ought not to tarry any longer, but must do it of themselves. That there were many thousands which desired the discipline; and that great troubles would ensue if it were denied them. That their presbyteries must prevail: and that if it be brought about by such ways and means as would make the bishops' hearts ache, let them blame themselves." Martin Mar-Prelate, in his second book, may explain this passage; for this author advises the parliament then assembled, "to put down lord bishops, and bring in the reformation which they looked for, whether her majesty would or not."

ELIZA-
BETH.

Heylin's
Hist. Pres-
byt. lib. 8.

I shall conclude this year with the death of Edwin Sandys, archbishop of York: he was descended from a gentleman's family at St. Bees, in Cumberland, bred in Cambridge, and one of the exiles in queen Mary's reign; the rest of his character and preferments has been touched already.

The Puritans moved vigorously in their business, and held a synod in St. John's-college in Cambridge. And here they made several corrections in their book of discipline: it was likewise agreed, that as many as were willing should subscribe it. Cartwright, Snape, Allen, Gifford, Perkins, Barber, Harrison, and the deponent Stone, made part of this assembly. About the same time another synod was held at Ipswich.

September,
A.D. 1589.
*Assembly of
Dissenters
at Cam-
bridge.*

After the defeat of the armada, some people misbehaved themselves upon the success, printed invectives against the Spanish nation, and outraged king Philip himself. The queen was displeased at this buffooning license: for though this prince was an enemy, a regard was due to the royal character. The press being more particularly the bishop of London's care, the lord treasurer sent to him to complain of a doggrel pamphlet upon this subject. The bishop was of the treasurer's opinion, and said, "it had been much better to have returned thanks to God Almighty for the deliverance, than spent their satire and scurrility upon the Spaniards, and insulted crowned heads." This libel, it seems, was first printed at Oxford, which made the bishop surprised at the conduct of that university. In short, he promised the treasurer to call Toby Cook, who printed it at London, to an account.

Bancroft's
Dangerous
Positions,
lib. 3. p. 89.

After the death of the earl of Leicester, sir Christopher Hatton was chosen chancellor of Oxford. This gentleman endeavoured to supply the omissions of his predecessor. For instance, he took care that those who were admitted to any

Strype's
Life of Bp.
Ailmer.

WHIT-
GIFT,
Abp. Cant.

621.

Wood, Hist.
et Antiq.
Univers.
Oxon.

*Earl Both-
well does
public
penance.*

*This Both-
well's name
was Ste-
ward.*

*His father
married the
heir of
Hepburn,
earl of Both-
well.*

Spotswood's
Ch. Hist.
A. D. 1591.

degree, should be examined in points of belief, and pass a kind of reformed test. He likewise endeavoured to prevent the Roman Catholics carrying off the young students to their seminaries beyond sea. And lastly, he brought the university to a more unexceptionable conduct, and restrained their excesses in clothes.

To pass on, and look over the affairs of Scotland. Francis earl of Bothwell, being touched with remorse of conscience, offered to make a public acknowledgment of the scandal he had given by his licentiousness, and submit to any satisfaction the Church should appoint. This submission was received, and the nobleman did public penance in Mr. Robert Bruce's church, and promised a more regular behaviour.

In the beginning of the next year, the king of Scots, who had lately made a voyage to Norway and Denmark, returned with his queen to Leith. This princess was Ann, daughter to Frederick II., king of Denmark. The next day after the king's coming to Edinburgh, the council met to settle the form for the queen's coronation; the king resolved to have it done with all imaginable solemnity. And because all the bishops were out of town, and none of them would come in due time, Mr. Robert Bruce was pitched on to perform the ceremony. Some of the Edinburgh ministers, that had more scruples than discretion, excepted to the circumstance of anointing; they said it was a Jewish ceremony, and abolished at the coming of Christ; that this custom was since brought into Christian countries by the pope, and therefore not to be continued. To these objections it was answered, "That the ceremony of unction had no Jewish original, neither was it used by that nation only; that it was practised in other kingdoms besides that of Judea was evident from Scripture. For Hazael was anointed king of Syria by Elijah, and Cyrus, king of Persia, is called the Lord's anointed by the prophet Isaiah: that since both these princes, who were foreign to the law and nation of the Israelites, were anointed, it is plain the ceremony was no ways peculiar to the Jews. And whereas they pretended it was introduced by the court of Rome, that was more than could be proved; and supposing the objection true, it was foreign to the point: for no man of common sense would stand off from a custom merely because it was used by the Papists; for at this rate we must part with a great many commendable and

*Some of the
Scotch mi-
nisters object
against the
ceremony of
anointing
princes.*

beneficial usages. Since therefore the function and authority of princes is the same it was at first, and continues unaltered in all independent monarchies, why should the unction be quarrelled with any more than the rest of the solemnity? Why should this circumstance be scrupled more than the carrying the sword and sceptre before them?"

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This answer, one would have thought, would have been sufficient to have disentangled the matter; but no arguments being strong enough to strike through the ministers' prejudices, the king sent for them, and finding their obstinacy unmanageable, he told them, "he would by no means dispense with the omission of this ceremony: and if Mr. Robert Bruce refused to use it (for it seems they had threatened this gentleman with Church censures), he would postpone the coronation till some of the bishops could come to town."

This unexpected resolve put them upon a second debate; and Mr. Andrew Melvil being wholly against a bishop's officiating at the coronation, dropped his opinion, and gained a majority for compliance. And thus, on the Sunday following, *Idem.* the queen was crowned by Mr. Robert Bruce, in the abbey-church of Holyrood-house; and here all the customary usages were observed in the solemnity.

In June, this summer, a general assembly met at Edinburgh, where the king was present. The moderator, Mr. Patrick Galaway, addressed his majesty for three things. First, That the Church's jurisdiction might have a firmer settlement: and that all acts prejudicial to the same might be rescinded. The next was for clearing the country of Jesuits, seminary priests, and all excommunicated persons that disturbed the established religion. Thirdly, To make a competent provision for the ministers out of the parish-tithes where they officiated; and to apply the surplusage to the encouragement of public schools, for the maintenance of the poor, and the reparation of churches. To the first his majesty answered, That in all parliaments the first act was to guard the liberty of the Church; and that he would take care this custom should be observed as formerly. In return to their second petition, he told them, It was well known how earnestly he had pursued that matter before his voyage to Denmark, and that he should still continue to put the laws in execution. As to the third, he advised them to select a committee out of the assembly to consult

*The assembly
petition the
king for
three things.*

WHIT-
GIFT,
Abp. Cant.

*The feuds
suppressed
by the king.*

with his council upon the best ways and means for making their request practicable.

After this, the king discoursing of the feuds kept up in the kingdom, and the murders and barbarities consequent to those quarrels, recommended putting a stop to this mischief. He put the assembly in mind their character obliged them to be particularly solicitous in promoting friendship and peace. He desired them therefore to press that point in their sermons, and dilate upon the sin and scandal of such desperate revenge; and that they should employ some of the most discreet of their body to reconcile families, and make up differences in the country. This motion of the king's was much commended, as it deserved. In short, this prince never gave over, till he broke the barbarous custom, and got the feuds wholly suppressed. This was done partly by calling the exasperated parties before the council, and obliging them to refer their quarrels: and partly by making strict laws against those who disturbed the public peace.

Idem.

Before I take leave of this assembly, it will be necessary to mention an order passed there, viz. "That all such as then bore office in the Kirk, or from thencefore should bear any office in it, should subscribe the Book of Discipline." The act of the assembly, as it stands upon record, is as follows:

*An order of
the assembly
for subscrib-
ing the
"Book of
Discipline."*

"Forasmuch as it is certain that the word of God cannot be kept in its own sincerity, without the holy discipline be had in observance, it is therefore, by the common consent of the whole brethren and commissioners present, concluded, that whosoever hath borne office in the ministry of the Kirk within this realm, or that presently bears, or shall hereafter bear office therein, shall be charged by every particular presbytery, where their residence is, to subscribe the heads of the discipline of the Kirk of this realm, at length set down, and allowed by act of the whole assembly, in the book of polity, which is registrate in the assembly-books, and namely the heads controverted by enemies of the discipline of the reformed Kirk of this realm, betwixt this and the next synodal assemblies of the provinces, under the pain of excommunication to be executed against the non-subscribers: and the presbyteries which shall be found remiss and negligent herein, to receive public rebuke of the whole assembly. And to the effect the said discipline may be known as it ought to be, to the whole brethren.

Aug. 4,
1590.

it is ordained, that the moderator of each presbytery shall receive from the clerk of the assembly a copy of the said book, under his subscription, upon the expences of the presbytery, betwixt this and the first day of September next to come, under the pain of being openly accused in the face of the whole assembly."

ELIZABETH.

Acts of the Assembly.

To return to England: the steps the Puritans had taken being now discovered by some of their own party, and their progress traced from point to point, some of the leading men were summoned before the ecclesiastical commissioners. For instance, Snape was sent for from Northamptonshire, and had interrogatories put to him: he wrote to Barebone and Stone, two dissenting ministers, gave them an account of the proceedings of the High Commission court, and how he was imprisoned upon refusing to give satisfaction. He exhorts his friends to resolution, and seems to be of opinion, that it was more advisable that some man of courage and conduct should be dispensed with to answer questions, rather than run the hazard of a discovery by some weak or wicked brother.

A. D. 1590.
Snape summoned before the ecclesiastical commissioners, and required to answer certain interrogatories.

These letters being intercepted, gave more light into the mystery, and suggested measures to the government.

And thus some things, which were but jealousy and suspicion before, were now opened to evidence as matter of fact.

The government thus awakened, found it necessary to let the law loose, and not connive any longer. The first that was called to account by the temporal courts was Udall, a nonconforming minister. He was one of the four who furnished those scandalous libels which were lately dispersed through the kingdom. But that which gave the highest provocation was his writing a book intituled, "The Demonstration of Discipline which Christ hath prescribed in his Word for the Government of his Church, in all Times and Places, until the World's End." He addresses his preface to the supposed governors of the Church of England: and after this, renouncing their authority, outrages them in the following expressions: "Who can deny you," says he, "without blushing, to be the cause of all ungodliness, seeing your government is that which giveth leave to a man to be any thing, saving a sound Christian? For certainly it is more free in these days to be a Papist, Anabaptist, of the Family of Love, yea, as any most wicked whatsoever, than that which we should be. And I could live these twenty years, as well as any such in England, (yea, in a

Udall, a dissenting minister, indicted upon the 23 Eliz. cap. 3.

WHIT-
GIFT,
Abp. Cant.

bishop's house it may be,) and never be molested for it: so true is that which you are charged with in a Dialogue lately come forth against you, and since burnt by you, that you care for nothing but the maintenance of your dignities, be it to the damnation of your own souls, and infinite millions more."

July 23,
1590.

For this whole book, and more especially for this lewd passage in the preface, he was indicted at an assizes held at Croydon, for the county of Surrey, and by sufficient evidence brought in guilty. The prisoner pleaded his indictment was grounded upon the statute 23 Eliz. cap. 2. enacted for punishing seditious words against the queen: but that the book for which he was prosecuted contained no offensive passages against the queen; that whatever satire there might be in this tract, it pointed only upon the bishops, and therefore could not fall within the compass of that statute. Against this plea it was resolved by the judges, "That those who speak against her majesty's government in cases ecclesiastical, her laws, proceedings, or ecclesiastical officers, which ruled under her, did defame the queen."

*He is brought
in guilty.*

Upon this resolution, and the evidence heard, the court allowed him the favour of having this question put, that is, Whether he would declare upon his credit and conscience that he was not the author of the book for which he stood indicted? If he had answered this question affirmatively, it is thought the judges and jury would have overlooked the evidence, and taken his word: but not having assurance enough to purge himself, (which, by the way, is an argument his conscience was none of the worst,) the jury could do no less than find him guilty. However, the archbishop prevailed with the court to respite judgment; but the Puritans giving farther suspicion of mutiny against the State, he was brought to the bar in Southwark, in March following, and there sentence of death was given against him. And here the archbishop, who valued Udall for his parts and learning¹, interposed again in his behalf, and addressed the queen for a pardon; and though this was denied, he succeeded so far as to procure a reprieve. Notwithstanding this forgiving temper in the archbishop, and the friendly office done by him, he was aspersed by some people for bringing on the prosecution of the prisoner. To take off this imputation, it was argued in his defence, that

*Archbishop
Whitgift
procures him
a reprieve.*

¹ This John Udall was a good orientalist, and wrote the first Hebrew Grammar printed in England, entitled a Key to the Holy Tongue.

several seditious sermons might have been charged upon Udall as well as the writing that book, which would have made him still more criminal in the eye of the court: and that whereas one Catfield could have pressed him harder than the rest of the witnesses, he was never called to the bar to give his evidence, the jurors being fully satisfied with what had been laid before them already. And thus the indictment being rightly grounded, the prosecution favourable, and the evidence full, the preserving his life was an undeniable instance of the archbishop's goodness. Stow takes no notice of his being executed afterwards, from whence we may conclude he was reprieved from time to time, and left to the course of nature. His son Ephraim proved the reverse of his father. He was beneficed at St. Austin's, near St. Paul's Church-yard, and suffered deeply for his conformity to the Church: he was sequestered in the reign of king Charles I. for refusing some schismatical and rebellious oaths and covenants. This usage had one remarkable circumstance of barbarity in it; for his wife, then bedrid, was turned out of doors, and left in the open street.

ELIZABETH.

He died of melancholy.
Fuller's Church Hist. book 9. p. 222.

While the government was proceeding against the Puritans, in the prosecution of Udall, and the imprisonment of Snape, Cartwright, and some others, the learned of each side were no less engaged in the defence of their respective sentiments. To mention something of this kind: Andrian Saravia, born in the Lower Germany, a person well skilled in ecclesiastical antiquity, was a strong assertor of episcopacy. This doctrine being discouraged in his native country, where the parity of ministers was an article of their public confession, he cast himself upon the protection of the Church of England. He had some time before recommended himself to the episcopal communion, by his answer to Beza's book, "De triplici Episcopatu." Not long after his arrival in England, he published a very learned book, "De diversis Gradibus Ministrorum Evangelii." In this tract he proves bishops not only of a superior degree, but of a different order from priests. This book was dedicated to the ministers of the Belgic Churches, where, though not very welcome, it passed without contradiction: but Beza, Danæus, and the rest of the Genevians, gave it a different reception. They looked upon the principles as subversive of their ecclesiastical government, and therefore resolved to try their strength against it. Beza, it seems, had other business,

Saravia writes in defence of episcopacy.

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GIFT,
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and therefore left the undertaking to Danaeus. This man, whose talent lay more in railing than reasoning, made little impression. Beza therefore, finding it necessary to reinforce Danaeus, published an answer in the year 1593, to which Saravia replied the next year. Beza, after this, seemed to have enough of the controversy, and lay by. As for Saravia, his merit was not overlooked by the English bishops. He was made prebendary of Westminster, and treated in other respects to his satisfaction.

To proceed. The minister of the Italian Church in London, not contented with the privileges granted the French and Dutch congregations, published a book in defence of the holy discipline. Upon this, Dr. Matthew Suttcliff, dean of Exeter, printed a Latin tract concerning the form and essentials of the Catholic Church. This Suttcliff printed a learned discourse against the English Puritans, entitled "The False Semblance of Counterfeit Discipline detected;" in which he takes the scheme to pieces, discovers the novelty from point to point, and disproves the arguments alleged in its defence. In his Latin book he attacked presbytery with a great deal of force, pressed a little upon the quarter of Geneva, and mentioned Beza in the controversy. This minister thinking himself ill-used, because mentioned without approbation, complains of the affront in a letter to the archbishop of Canterbury, and calls Suttcliff a petulant railer. For this freedom he was not only called to an account by Saravia, in his "Replication," but the archbishop sent him a reprimanding answer for interesting himself in the disputes touching religion in England. He let him know he had been much too forward and decisive, and occasioned no small disturbance. Beza, perceiving the archbishop and Saravia were likely to prove an overmatch, retired from the combat, and left the English Puritans to shift for themselves. And to do something by way of reparation for his intermeddling, he writes to the archbishop in terms of respect, and salutes him in the language of his character. In this address he acquaints him, that, "in his writings concerning Church government, he only opposed the hierarchy of Rome, but never had any intention to reflect upon the English ecclesiastical polity, nor to press conformity to the Genevian discipline. He grants that, provided there was an agreement in the doctrine, Churches might differ defensively enough in other matters. And here he throws in a very serviceable limitation, that, in this latitude, nothing unwarranted by anti-

*Suttcliff
writes
against the
Genevian
model.
De Vera
Catholica et
Christiana
Ecclesia.*

*Printed at
London,
A. D. 1590.*

*Beza's con-
cessions to
archbishop
Whitgift.*

quity should be indulged; and that there might be a better harmony amongst the reformed in Christendom, he hopes the sacred episcopal college would always continue, and manage their privilege with equity and moderation." This letter is much more friendly to episcopacy than that written to Knox already mentioned. But Beza ought not to be blamed for self-contradiction; for if time and recollection had recovered him from some part of his mistakes, so much the better. Some of these things did not come up till three or four years after the time I am upon; but for the affinity of the matter, I have laid them together.

To proceed. This year Thomas Cartwright, bachelor of divinity, was brought before the queen's commissioners for ecclesiastical causes, and the oath *ex officio* put to him to answer interrogatories. The articles upon which the interrogatories were formed are as follow.

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Thomas Cartwright brought before the High Commission, and charged upon several articles. Sept. 1.

"1. Imprimis, We object and articulate against him, that he being a minister (at least a deacon) lawfully called, according to the godly and lawful orders of this Church of England, has renounced the same orders ecclesiastical as an anti-christian and unlawful manner of calling to the ministry.

"2. Item, That he departing this realm into foreign parts without licence, as a man discontented with the form of government ecclesiastical, here by law established, the more to testify his dislike and contempt thereof, and of the manner of his former vocation and ordination, was contented in foreign parts (as at Antwerp, Middleborough, or elsewhere) to have a new vocation, election, or ordination by imposition of hands to the ministry, or unto some other order or degree ecclesiastical, and in other manner and form, than the laws ecclesiastical of this realm do prescribe. Let him declare upon oath the particular circumstances thereof.

"3. Item, That by virtue or colour of such his latter vocation, election, or ordination, becoming a pretended bishop or pastor of such congregation as made choice of him, he established, or procured to be established, at Antwerp, and at Middleborough, among merchants and others her majesty's subjects, a certain consistory, seminary, presbytery, or eldership ecclesiastical, consisting of himself, being bishop, or pastor (and so president thereof), of a doctor, of certain ancients,

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seniors, or elders, for government ecclesiastical, and of deacons for distributing to the poor.

“4. Item, That by the said eldership, and the authority thereof, certain English-born subjects were called, elected, or ordained by imposition of hands, to be ministers, or ecclesiastical doctors (being not of that degree before), as Hart, Travers, Grise, or some of them; and some that were also ministers before, according to the orders of the Church of England, as Fenner, Acton, were so called, and other English subjects were also called, and likewise ordained elders, and some others were ordained deacons, in other manner and form than the laws ecclesiastical of the realm do prescribe, or allow of.

“5. Item, That such eldership so established, under the presidentship of him the said Thomas Cartwright, had used (besides this authority of this vocation, and ordination of officers ecclesiastical) the censures, and keys of the Church, as public admonition, suspension from the Supper, and from execution of offices ecclesiastical, and the censures of excommunication; likewise authority of making laws, decrees, and orders ecclesiastical, and of dealing with the doctrine and manners of all persons in that congregation, in all matters whatsoever, so far as might appertain to conscience.

624. “6. Item, That he, the said Thomas Cartwright, in the public administration of his ministry there, among her majesty's subjects, used not the form of Liturgy, or Book of Common Prayer, by the laws of this land established, nor in his government ecclesiastical, the laws and orders of this land; but rather conformed himself in both to the use and form of some other foreign Churches.

“7. Item, That since his last return from beyond the seas, being to be placed at Warwick, he faithfully promised (if he might but be tolerated to preach) not to impugn the laws, orders, policy, government, nor governors in this Church of England, but to persuade and procure so much as he could, both publicly and privately, the estimation and peace of this Church.

“8. Item, That he, having no ministry in this Church, (other than such as before he had forsaken, and still condemneth as unlawful) and without any licence (as law requireth),

hath since taken upon him to preach at Warwick, and at sundry other places of this realm.

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“9. Item, That since his said return, in sundry private conferences, with such ministers and others, as at sundry times by word and letter have asked his advice or opinion, he hath showed mislike of the laws and government ecclesiastical, and of divers parts of the liturgy of this Church; and thereby persuaded and prevailed also with many, in sundry points, to break the orders and form of the Book of Common Prayer, who observed them before, and also to oppose themselves to the government of this Church, as himself well knoweth, or verily believeth.

“10. Item, That in all, or most of such his sermons and exercises, he hath taken occasion to traduce, and inveigh against the bishops, and other governors under them in this Church.

“11. Item, That he hath grown so far in hatred and dislike towards them, as that, at sundry times, in his prayer at sermons, and, namely, preaching at Bambury, about a year since, in such place as others well disposed pray for bishops, he prayed to this, or like effect: ‘Because that they, which ought to be pillars in the Church, do bend themselves against Christ, and his truth; therefore, O Lord give us grace, and power, all as one man, to set ourselves against them.’ And this in effect (by way of emphasis) he then also repeated.

“12. Item, That preaching at sundry times and places, he usually reacheth at all occasions to deprave, condemn, and impugn the manner of ordination of bishops, ministers, and deacons; sundry points of the polity, government, laws, orders, and rites ecclesiastical and of the public liturgy of the Church of England, contained in the Book of Common Prayer, as, namely, the use of the surplice, the interrogatories to god-fathers, &c., in the name of the infants, the cross in baptism, the ring in marriage, the thanksgiving after child-birth, burials by ministers, the kneeling at the communion, some points of the Litany, certain collects and prayers, the reading of portions of Scripture for the Epistle and Gospel, and the manner of singing in cathedral churches and others.

“13. Item, That preaching at the baptizing of one Job Throgmorton’s children, he spoke much of the unlawfulness, and in derogation of the government, polity, laws, and liturgy

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ecclesiastical of this realm, and to the justification of a government by elderships in every congregation, and by conference and synods, &c., abroad, as divine institutions commanded by Christ, and the only lawful Church government; seeking to prove and establish such elderships out of that word in one of the Psalms, where thrones are mentioned.

“14. Item, That by toleration and impunity, he did grow so confident, and withal implacable, against the laws, government, and orders of this Church of England, that he could not endure Mr. Bourdman and others (preaching sundry times at Warwick) to speak in defence thereof; but took upon him to confute, in sundry sermons there, those things which the said Bourdman had truly and dutifully in that behalf spoken and delivered.

“15. Item, That in his sermons at Warwick and elsewhere, within the said time, he often delivered many frivolous, strange, and undiscreeet positions: as, namely, ‘that to kneel down and pray when a man comes into church, or pray there privately, was but to offer the sacrifice of fools; that it was requisite all the hearers that were able should stand upon their feet during sermons;’ and discoursing about women and their child-birth, &c., did speak thereof so indiscreetly and offensively, that sundry of them, in great grief, had conspired to have mischieved him with stones in the open streets.

“16. Item, That by his persuasions, privately and publicly delivered, sundry persons in and about Warwick were appointed to impugn, both in words and deeds, the laws, orders, and rites, prescribed by the Book of Common Prayer; inso-much as both his own wife, by his procurement and consent, refused after child-birth to come and give thanks in such place of the church, and in that solemn manner as thereby is prescribed; and some other women also of that town, by such example and persuasion, did use the like contempt.

“17. Item, That sundry times (or at least once), when he communicated at the Lord’s supper there, he sat, or stood upon his feet; and divers others, induced by his persuasions and example, both then and at other times, did the like. And that at other times, there, or in other places, where he hath communicated, both himself and others (as he had appointed or persuaded before) did walk along and receive the sacrament of the minister as they passed by him.

“ 18. Item, That for these, and such like disorders, he was presented to the bishop of Wigorne, his ordinary. Before whom, being convented in the consistory there, he spake to the justification and upholding of such doing of his, and of others ; and there very publicly and offensively affirmed, and disputed, that ‘ the Book of Common Prayer, &c., is not established by law.’ ELIZABETH.

“ 19. Item, That when, by authority from the said bishop, for his contempt he was suspended from preaching, ‘ et ab omni functione ministerii,’ he appealed from the said suspension, yet did not prosecute within a year after ; whereby (the cause being, according to law, remitted again to the bishop) he, the said Thomas Cartwright, according to the former proceedings, falling again into the sentence of suspension (which was also intimated and made known unto him), nevertheless in contempt of the authority ecclesiastical, hath preached at Warwick, Coventry, and elsewhere, since the said time.

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“ 20. Item, When one of his men-servants had committed fornication, and gotten a bastard in his house, he, taking upon him the authority of the ordinary, did appoint unto the delinquent a public form of penance or satisfaction in St. Mary’s church, and caused him to perform the same.

“ 21. Item, Since his placing at Warwick, he, with others, (at such times as they thought fit,) have agreed to have, and so have had, divers public fasts, without the queen her authority, and have invited and persuaded both sundry persons to be there present, and also certain to preach, to the number of three, four, or five, successively, one after another, being all noted to be such, as mislike and impugn sundry points of the laws, government, and liturgy ecclesiastical of this Church of England. In which sermons, both he, the said Cartwright, and such others also as then preached, did impugn and inveigh against the present laws, government, polity, and liturgy ecclesiastical of this Church of England.

“ 22. Item, That from time to time, since his abode in Warwick, by his practice and dealing, he hath nourished a faction and heart-burning of one inhabitant there against another, severing them in his own and his followers’ speeches, by the names of the godly, or brethren favouring sincerity, and the profane.

“ 23. Item, That he doth know, or hath credibly heard, who

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were the penners, printers, or some of the dispersers of the several libels going under the name of ‘Martin Mar-Prelate; or, the Demonstration of Discipline of Diotrephes,’ and such like books, before it was known to authority; and yet in favour of such, and contempt of good laws, did not manifest the same to any who had authority to punish it.

“24. Item, That being asked his opinion of such books, he answered thus in effect, or something tending this way, viz., that they (meaning the bishops and others there touched) would not amend by grave books and advertisements, and therefore it was meet they should thus be dealt with, to their farther reproach and shame.

“25. Item, That for, and in behalf of the Church of England, he penned, or procured to be penned, all, or some part, of a little book entitled, in one part, ‘*Disciplina Ecclesiae sacra Verbo Dei descripta;*’ and in the other part, ‘*Disciplina Synodica ex Ecclesiarum Usu,*’ &c. And after it was perused by others, whom he first acquainted therewith, he recommended the same to the censures and judgments of more brethren (being learned preachers), and some others, assembled together by his means, for that and other like purposes; which, after deliberation and some alterations, was by them, or most of them, allowed as the only lawful Church government, and fit to put in practice; and the ways and means for practising thereof in this realm, were also then, or not long after, agreed or concluded upon by them.

“26. Item, That for the better and more due practice of it within the space of these seven, six, five, four, three, two or one year last past, the said Thomas Cartwright, and sundry others, (as aforesaid, according to former appointments and determinations by them made,) have met in assemblies termed synods, more general, (as at London, at terms and parliament times; in Oxford at the Aet; in Cambridge at the times of Commencement and Sturbridge-fair,) and also more particular and provincial synods, and at classes or conferences of certain select ministers, in one or more places of several shires, as Warwick, Northampton, Rutland, Oxford, Leicester, Cambridge, Norfolk, Suffolk, Essex, and others.

“27. Item, That at such synods and conferences it hath been concluded, that all the ministers which should be received to be either of the said general synods, or of any more parti-

cular and provincial, or of a classis, or conference, should subscribe to the said discipline, that they did allow it, would promote it, practise it, and be governed by it. And according to the form of a schedule hereunto annexed, or such like, both he the said Thomas Cartwright, and many others, at sundry or some general assemblies, as at provincial, and at several conferences, have, within the said time, subscribed the same, or some part thereof.

“ 28. Item, That at such synods, and all other assemblies, a moderator of that meeting was first by him and them chosen, according to the prescription of the said book. And at some of such meetings and assemblies, amongst other things it was resolved and concluded, that such particular conferences in several shires should be erected; how many persons, and with what letters from every of them, should be sent to the general assembly; and that one of them, at their coming home to their conference, should make known the determinations of the general assembly, to be by every of them followed and put in practice: which course, in sundry places of this realm, hath (within the time aforesaid) been accordingly followed and performed.

“ 29. Item, That he, with others in some such classis or conference, or in a synod, or more general assembly holden, did treat and dispute (among other points) these six articles contained in another schedule annexed, and set down their resolution and determination of them.

“ 30. Item, That he, with others assembled in such a general assembly or synod at Cambridge, did conclude and decree (as in another schedule annexed, or in some part thereof is contained), which decrees were made known afterwards at Warwick to sundry classes there by his means assembled, and allowed also by them then met together in the same, or like form.

“ 31. Item, That at all such several meetings, synods, and conferences within the said time, many other determinations, as well what should be done and performed, or omitted, as also what should be holden consonant to God's word, or disagreeing from it, have been set down by the said Thomas Cartwright, and others. As namely, that all admitted to either assembly should subscribe the said Book of Discipline, holy and synodical; that those who were sent from any conference to a

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synod should bring letters fiduciary or credence; that the last moderator should write them; that the superscription thereof should be to a known man of the assembly then to be holden; that no book made by any of them should be put in print, but by consent of the classis at least; that some of them must be earnest, and some more mild and temperate, whereby there may be both of the spirit of Elias and Elizeus; that all admitted amongst them should subscribe, and promise to conform themselves in their proceedings, administration of sacraments, and of discipline, to the form of that book; and that they would subject themselves to the censuring of the brethren, both for doctrine and life. And, lastly, that upon occasion, when any of their brethren shall be sent by them upon affairs of the Church (as to the great meetings, parliament, &c.), they all would bear their charges in common; that there might be no superiority amongst them, and that the moderatorship (as it happened) is not a superiority or honour, but a burthen; that no profane writer, or any other than canonical Scripture, may be alleged in sermons; that they should all teach, that the ministry of those who did not preach is no ministry, but a mere nullity; that it is not lawful to take any oath whereby a man may be driven to discover anything penal to himself, or to his brother, especially if he be persuaded the matter be lawful, for which the punishment is like to be inflicted; or having taken it in this case, need not discover the very truth; that to a bishop, or other officer ecclesiastical, (as is used now in the Church of England,) none obedience ought to be given, neither in appearing before them, in doing that which they command, nor in abstaining from that which they inhibit; that in such places as the most of the people favoured the cause of sincerity, eldership should warily and wisely be placed and established, which consistory in some places hath been, either wholly or in part, erected accordingly; yea, in some colleges in the university, as he knoweth, hath heard, or verily believeth."

The copy of these articles was found in Travers's study, after his death, by a person who gave them to Fuller. Fuller's Church Hist. book 9. p. 198.

I thought it not improper to insert these articles at length, as they were drawn by the High Commission Court. For this Cartwright was a leading man, and the oracle, as it were, of the nonconformists; so that a narrative of his principles and practice is in some measure a history of the party.

Some time before Cartwright received his summons, the nonconforming ministers, being apprehensive they should be pressed with interrogatories, had a meeting in London; here the question was put, "Whether it was fit and convenient that Mr. Cartwright, after his commitment (for they expected no less), should discover all, or any of the matters which passed in conference and disputation in any of their former assemblies, or not?" This synod consisted of the following ministers:—

ELIZA-
BETH.

Stone's Depositions in Star-chamber.
Bancroft's Dangerous Positions, book 3. cap. 9.

Which way this question was resolved in the meeting, is not set down in the depositions; but, by Cartwright's behaviour, it is plain it was determined in the negative. For, about a fortnight after, this divine, being convented before Aylmer, bishop of London, the two chief justices, justice Gawdy, sergeant Puckering, attorney-general Popham, and several other commissioners, refused the taking an oath to answer the articles above-mentioned. And here he ventured to stand off against the opinion of the whole court: for every one of the commissioners assured him, upon their credit, that, by the laws of the realm, he was obliged to take the oath, and answer the questions put to him. But Cartwright desired to be excused, and told them he thought the laws of God brought him under no such necessity. Upon this non-compliance he was sent to the Fleet, to which place several of his brethren had been committed some time before: and, to name them, those imprisoned in the Fleet and other gaols in London were, Humphrey Fenn, Andrew King, Daniel Wight, John Payne, Edward Lord, Edmund Snape, William Proudlove, Melanethon Jewel, and Wigginton.

Ibid.
Cartwright refuses to answer the interrogatories, and is committed.

To mention some few more of the Puritan singularities from the "Book of Discipline." First, with respect to divine service: the minister that preaches appoints the psalm that was to be sung; after the psalm a short discourse was to be made, to instruct the congregation in their preparation for prayer; then the minister made a prayer, containing a confession of sin, concluding with the Lord's Prayer; after sermon the preacher was to make a prayer that the audience might be improved by what was delivered. The rest of the directions under this head are agreeable to the Geneva rubric.

A farther account of "the Book of Discipline."
Disciplina, &c. de Officio Minist. &c.
Bancroft's Dangerous Positions, book 3. chap. 12. Disciplina. &c. de Baptismo. Bancroft, ibid.

Under the article of baptism, the "Book of Discipline"

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runs thus: "Let not women only offer children to baptism, but the father, if it may be conveniently, or some other in his name. Let persuasions be used, that such names that do savour either of paganism or popery be not given to children at their baptism, but principally those whereof there are examples in the Scriptures."

The Puritans' singularity in giving names at baptism.

The Puritans were very strict in keeping close to this rule, as may be collected from the odd names they gave their children: such as "The Lord is near," "More Trial," "Reformation," "Discipline," "Joy again," "Sufficient," "From above," "Free Gifts," "More Fruit," "Dust," &c.¹ And here Snape was remarkably scrupulous: for this minister refused to baptize one Christopher Hodkinson's child, because he would have it christened Richard. Snape acquainted Hodkinson with his opinion beforehand: he told him he must change the name, and look out for one in the Scripture. But the father, not thinking this fancy would be so strongly insisted on, brought his son to church. Snape proceeded in the solemnity till he came to naming the child, but, not being able to prevail for any other name than Richard, refused to administer the sacrament; and thus the child was carried away, and afterwards baptized by a conforming clergyman.

Bancroft, *ibid.*

To mention one particular more touching the discipline of these Dissenters with respect to their mission: when any person, not already a minister in their way, is designed by them for that office, they command him to go to the bishop of the diocese for his writings, as they call them. But here they considered the bishop no otherwise than as a civil magistrate; and, therefore, letters of orders, or a licence to preach, are looked on only as legal securities, to keep them in a living formerly taken, or to screen them from prosecution in preaching amongst their own party. For instance, Mr. Snape, being a clergyman, renounced his first calling or ordination before the classis; and, being a man of character among the Nonconformists, his declaration upon this subject deserves a recital.

Their opinion of the bishop's authority in giving orders, &c.

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"Touching the substance of my calling to the ministry, I affirm that I had it of the Church of God, being approved by the learned and godly neighbour-ministers, and chosen by the people of my charge, to that function. Touching that allow-

Idem, book 3, chap. 14.

¹ Much of this kind of nomenclature prevailed among the Puritanic settlers in America, and still distinguishes their descendants.

ance that I had of the bishop, I take it to be a thing merely civil, belonging to a civil magistrate, which authority he hath by act of parliament ; and which, therefore, I might lawfully receive at his hands for the peaceable execution of my ministry."

ELIZABETH.

About this time, Coppingher, Arthington, and Hacket, *The enthusiasm and conspiracy of Coppingher, Arthington, and Hacket.* began to act the enthusiasts in a desperate manner. They pretended prophetic impulse, and that they had an extraordinary call to set up the Puritan discipline. Coppingher and Arthington were gentlemen, but of slender fortunes. Hacket lived at Oundle, in Northamptonshire, where he first served Mr. Hussey, and afterwards sir Thomas Tresham. He had the character of a vain, quarrelsome, licentious fellow. His memory is said to have been his only good quality, and this he made use of to very ill purpose : for it was his custom to bring off part of a sermon at church, to ridicule it in an alehouse. Afterwards, he pretended himself awakened by the preaching of the Nonconformists, turned Puritan, and made an intimate acquaintance with one Wigginton, a bigoted minister of that persuasion. And now, being in his *chaleur de neophyte*, he railed strongly against the Church of England ; and, to make himself remarkable, and raise a reputation for carrying on the discipline, he put on an appearance of great sanctity, pretended to supernatural qualifications, and made the people believe he knew their thoughts and could work miracles. The matter of fact, it seems, was not disputed, though assigned to different causes : for some took him for a magician, and others thought this privilege a reward of his piety. His enthusiasm or imposturous practice was disappointed at York and Lincoln : in both these places he gave out the spirit of St. John Baptist was transmigrated into him ; and that his message was to "prepare the way of the Lord before his second coming to judgment." But here the magistracy was so far from believing his mission, that they ordered him to be whipped, and sent out of town.

Notwithstanding this rebuke, he went on with his frenzy : and, though he began with hypocrisy, yet now he seems to have been an enthusiast in earnest, and to have passed his imposture upon himself. He was a person of no learning. However, by warmth of temper and frequent practice, he had gotten a remarkable talent for extempore prayer ; and, affect-

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*Hacket pre-
tends to the
commission
of a prophet.
Cosius'
Conspiracy
for Pre-
tended Re-
formation.*

ing rumbling and bombast in his devotion, he was much admired by the ignorant crowd. And now, the delusion working strong, he fancied himself honoured with an extraordinary calling. He challenged the character of a prophet of God's vengeance where his mercy was refused; and declared, that, if reformation was not established in England this year, the three great plagues of sword, pestilence, and famine, would fall upon it.

*Coppingher
believes him-
self under
the privilege
of an extra-
ordinary
mission.*

Wigginton, the Nonconformist minister, brought Hacket to Coppingher, and made an acquaintance between them; and, afterwards, Arthington, and Lancaster (a schoolmaster), were taken into the junto. Coppingher was a strong visionary, at least in pretence. He talked of supernatural privilege, and immediate correspondence with heaven, and that God had revealed a wonderful mystery to him. He knew a way to bring the queen and all her council and nobility to repentance, or at least to discover those for traitors who refused to relent. The meaning of repentance was the setting up the Presbyterian discipline. Coppingher acquainted Wigginton with this mystery, who gave no discouragement to his pretensions; but Arthington and Lancaster disliked the motion, told him the prosecution was impracticable and likely to prove unfortunate in the issue. Coppingher, who was willing to put his credentials to the test and gain the approbation of the Puritan ministers, wrote a long letter to Cartwright upon this subject. This was not done without something of invitation on Cartwright's part: he had, it seems, offered to examine Coppingher's proof of an extraordinary calling. Coppingher, to satisfy him, told him, "that, after a solemn fast and other religious preparations, he was thrown into an ecstasie dream, carried into heaven, and had the glories of that place discovered to him; that he had a strong impulse for some extraordinary undertaking, and believed in the suggestion of the Holy Spirit; that, to prevent being led into mistakes by the forwardness of imagination, he had written for advice to several preachers, both in England and elsewhere; that, at last, he wrote to a silenced minister in the city; that this minister assured him God continued still to work extraordinarily in some persons for special purposes." He told Cartwright, that, in case he approved his mission, he would give him a detail of his design, and acquaint him with the particulars he had in charge; that

*His letter to
Cartwright
for the reso-
lution of six
questions.*

the business of his letter was to desire Cartwright's resolution of some questions, with some directions upon the matter of what he was going about. ELIZABETH.

The questions to be resolved are as follows:—

“ First. Whether in these days there are any extraordinary workers and helpers to the Church, either apostles, evangelists, or prophets, where need requires more or less?—or Nazarites, healers, admonishers, in any special sort?

“ Secondly. If there are still such extraordinary persons, is not their calling immediately from God, and his Spirit a seal unto their spirits, through which they have such excellent gifts and graces of wisdom, knowledge, courage, magnanimity, zeal, patience, humility, &c., as do manifest such their calling to the Church?

“ Thirdly. If such graces and gifts shall appear, whether may the Church enter into the consideration of the success which God may please to give, yea or no? If they may, in what manner are they to proceed with such a person extraordinarily called?

“ Fourthly. If it shall be confessed that there may be extraordinary callings from God to the end of the world, the next question is, Whether such callings may be found in a country where the Gospel is truly preached, and the sacraments (in some sort) truly administered, though not universally, but here and there,—not perfectly, but in part,—and where the true discipline is not established, but oppugned by the public magistrate, &c.?

“ Fifthly. If it shall be answered, that no extraordinary callings are to be looked for but where there is a waste of the Church, whether can it be said truly that there is a waste of the Church where the prince and the chief magistrates are ignorant of the necessity of the discipline, opposing themselves against it, persecuting such as seek it, by means whereof all wicked persons whatsoever are admitted to public exercise of the Word and to the Lord's table,—whether, I say, may it be hoped for, that God, for his glory's sake and the good of the Church, may extraordinarily call some person, by giving him a spirit above others to deal with the magistrate in the name of God, to provide that the people may be everywhere taught, and true discipline executed where the people already have knowledge?

WHIT-
GIFT,
Abp. Cant.
Idem.

“Sixthly. Where pastors, doctors, elders, widows, &c., are wanting in the Church established, and only a minister thrust upon the people to be their pastor, without their choice or liking, whether it can be truly said a man so placed, though furnished with all inward gifts and graces of God’s Spirit fit for that calling, has the lawful and perfect calling of a minister or no?”

Feb. 13,
1590.

Upon Cartwright’s receiving this letter, he sent Coppingher a cautious message, that he should attempt nothing but by advice, and manage with prudence and circumspection. This answer gave Coppingher no satisfaction, who pressed for a more particular resolution: upon which, a day was fixed to discourse with him. That his motion was thus far considered, appears by his second expostulatory letter to Cartwright, in which he complains he had been checked in his undertaking for the service of God and the Church, and desires the day appointed for the conference might hold. His reason is, because the juncture would not admit of any farther delay; that it was well known some people were in danger of their lives; and that, unless he had been hindered, he could have procured their release before now. And, towards the close, he conjures Cartwright to “advise the preachers to deal speedily and circumspectly, lest some blood of the saints be shed.”

Bancroft’s
Dangerous
Positions,
book 4,
chap. 6.
*Cartwright
and some
others disen-
gage from
Coppingher.*
Idem.

But the Dissenting ministers, distrusting Coppingher’s conduct, and probably not liking his design, broke their appointment for the conference, and refused to correspond with him any longer. And, to take their leave, Cartwright, Travers, Charke, and Egerton, sent him word by Hockenhall, “that they would leave him to himself, or rather to Satan, and that they thought him unworthy to be conferred withal.”

*He is encour-
aged by
Wiggington.*

Wiggington proved a much kinder casuist, and gave him an affirmative resolution to his questions, under his hand. It is to this effect: that God does and will continue to raise up extraordinary assistants to his Church, under all the distinctions put by Coppingher in his first question; that the authority of these extraordinary persons cannot be discovered to themselves by any other means, excepting by God’s Spirit; neither can it be known to others, but by the good effect it produces. That a person, thus called, need not put many questions to mortal men for the justifying his calling: however, he must

have the character of a pious man before he enters on the undertaking ; especially, if he has the misfortune of being a known libertine formerly. That where the principal magistracy of any country are ignorant and untaught, there it may be truly said that country is out of order, desolate, or waste : and that this reasoning holds much stronger when not so much as the thirtieth or fortieth part of a kingdom is well constituted, or instructed.

ELIZABETH.

Wiggington, in another paper of his own hand, endeavours to maintain such extraordinary callings by two instances : his first is in a person mentioned by Josephus, who passed through the streets at Jerusalem, and denounced destruction before it was besieged. His next instance was of a man that came from Yorkshire to London, declared he had seen an angel in a vision, and was charged to foretel the judgments of God which should shortly fall upon the whole kingdom.

From hence it appears, that Wiggington was the silenced preacher hinted by Coppingher, in his first letter to Cartwright : and that he agreed to fast and pray with some others, for a farther evidence of his mission. The rest of Coppingher and Hacket's story comes up the next year.

Cosins' Conspiracy for Pretended Reformation.

Before I enter therefore upon the remainder, I shall entertain the reader with the ecclesiastical affairs in Scotland. A general assembly being convened at Edinburgh, there happened a great contest between this body and the lords of session. The dispute was concerning the jurisdiction of the respective courts. The occasion was this : John Graham, one of the lords of the session, was charged with suborning a public notary to forge an instrument : the notary confessed, upon examination, that the instrument signed by him, was brought to him engrossed by William Graham, brother to John, and that he knew nothing of the contents. Now forgery being capital in Scotland, he was prosecuted for the foul practice, cast, and executed. Graham, enraged at this discovery, enters an action against Simpson, minister of Sterling, pretending he had overawed the notary into a false confession. The minister complains to the assembly ; upon which Graham was summoned to answer the scandal raised upon one of their members : he, making his appearance, told them he was ready to make good the charge against Simpson before competent judges. This was construed pleading in bar to the jurisdiction of their court :

A contest between the assembly at Edinburgh and the lords of the session.

A. D. 1591.

WHIT-
GIFT,
Abp. Cant.

the assembly therefore replied, he must stand to their judgment, or be censured for the slander. Upon this the lords of the session sent a message to desire the assembly not to intermeddle in business proper to the cognizance of the temporal courts; and which was now in due form of law depending before them. The assembly answered, that their proceedings were no encroachment upon the privilege of session, neither did they intend to reach into matters belonging to the magistracy: but the purging one of their own members from scandal, might be managed, they conceived, without derogation to any civil judicatory: they desire them therefore not to be disconcerted at the Church's going on with a process of this nature. The lords, dismissed with this answer, sent for John Graham, who excepted to the jurisdiction of the assembly, affirmed the cause was of a civil nature, and ought to be tried before the lords of the session. The assembly, on the other hand, voted themselves the proper judges, ordered Graham to plead before them, and that otherwise they would proceed to sentence against him. The lords looked upon these proceedings as downright invasion: and that, under this colour, any minister might challenge an exemption from pleading in the civil courts, and be carried off to the bar of the Church. They resolved, therefore, at first, to send a prohibition to the assembly, and command them to stop the process. But contesting their jurisdiction thus far, being thought unseasonable, they dropped this resolution, and agreed to compound the matter; and thus an accommodation was settled by a compromise, that neither sessions, nor assembly, should proceed any farther.

629.

Spotswood's
Church His-
tory, p. 334.
*The assembly
passes a
revocation of
all aliena-
tions of
Church
revenues.*

This assembly exerted themselves, though with insignificant spirit, on another head: they passed a general revocation of all things done in prejudice of the Church's patrimony; and that, whether such alienations were made by beneficed ministers, or by any others of ecclesiastic character. This was thought a good expedient for reviving the claim to the tithes and estates which had been lately conveyed to the laity: but those who had enriched themselves with the plunder of the Church ridiculed this revocation. It must be said, the assembly had disabled themselves in a great measure from pursuing their claim, by suppressing the ancient distinctions of the hierarchy, and altering the form of the Church, upon which these privileges and estates were all along settled.

Ibid.

To return to the English Nonconformists, who, it was thought, intended not to continue passive under their disappointments. It was suspected, and not altogether without cause, that some of these men designed to rescue their brethren from confinement: Wiggington's letter to one Porter at Lancaster, looks towards this meaning, and seems to menace the government. His words are these:—

ELIZABETH.

“ Master Cartwright is in the Fleet, for refusal of the oath, (as I hear) and master Knewstubbs is sent for, and sundry worthy ministers are disquieted, who have been spared long. So that we look for some bickering ere long, and then a battle, which cannot long endure.”

Wiggington's odd letter to Porter.

That there was an expectation of some bold push, may be conjectured from a letter written by a Scotch gentleman to his friend in England. “ I attend,” says he, “ your next answer, as well of the estate of your Church, as of all other affairs. For there is here great word of sundry uproars, which I trust be false, or repressed in due season by her majesty.” That some attempt upon the State was concerted, appears farther by letters and papers found upon Hacket, Coppingher, and Artlington: but of this by and by.

Bancroft's Dangerous Positions, book 4, chap. 5. *Another from Scotland upon the same subject.*

At present I shall proceed to mention the application made by the Presbyterians to the king of Scots. Some of the most eminent of the party solicited this prince to write to queen Elizabeth for gentle usage. They procured two letters for this purpose: the last was directed to one Johnson, a Scotch merchant in London: this gentleman delivered it to the queen, who, having read it, laid it before the council. I shall give it the reader in the king's words:—

“ Right excellent, high and mighty princess, our dearest sister and cousin, in our heartiest manner, we recommend us unto you. Hearing of the apprehension of Mr. Udall and Mr. Cartwright, and certain other ministers of the evangel within your realm; of whose good erudition and faithful travels in the Church we have a very credible commendation, howsoever, that their diversity from the bishops, and others of your clergy, in matters touching them in conscience, hath been a mean by their delation, to work them your misliking; at this present we cannot (weighing the duty which we owe to such as are afflicted for their conscience in that profession) but by our

The king of Scots' letter to queen Elizabeth in behalf of the English Nonconformists. June 12, 1591.

WHIT-
GIFT,
Abp. Cant.

most effectuous and earnest letter interpone us at your hands to stay any harder usage of them for that cause. Requesting you most earnestly, that for our cause and intercession it may please you to let them be relieved of their present strait, and whatsoever farther accusation, or pursuit depending on that ground, respecting both their former merit, in setting forth the evangel, the simplicity of their conscience in this defence, which cannot well be, their let by compulsion, and the great slander which could not fail to fall out upon their farther straitening for any such occasion. Which we assure us your zeal to religion, besides the expectation we have of your good will to pleasure us, will willingly accord to our request, having such proof from time to time of our like disposition to you in any matters which you recommend unto us; and thus right excellent, right high and mighty princess, our dear sister and cousin, we commit you to God's protection¹.

“Edinburgh, June the 12th, 1591.”

The queen looking upon this letter as extorted from the king by the importunity of the Kirk, rather than proceeding from his own inclination, took little notice of it.

To go back a little to the farther prosecution of the Dissenters. In May, this summer, Cartwright was brought from the Fleet to London-house, before several of the ecclesiastical commissioners. And here bishop Ailmer charged him with three things. First, that he petitioned the council for liberty upon false suggestions, counterfeiting diseases with which he was not troubled. Secondly, That he had misreported the oath tendered him to the council. And, Thirdly, That he had several times owned, that a man who lived up to the ceremonies and discipline of the Church of England might be saved; from whence the bishop inferred the insignificancy of a farther reformation. When Ailmer had done, Cartwright began to speak, but was stopped by sir John Popham, attorney-general. This gentleman suggested how dangerous a thing it was for men to be governed by their own singularities, and pretend conscience for disobedience to the constitution. That the oath to answer interrogatories was warranted by the laws and an-

¹ The pedantic obscurity of James's style of writing is particularly observable in the letter above quoted.

*Cartwright
brought a
second time
before the
High Com-
mission.*

*The lawfulness
of the
oath for an-*

cient usages of the kingdom : that he had two things to urge against Mr. Cartwright ; one was the breach of the public peace by unlawful meetings, and regulations for discipline. The other was an offence against the justice of the realm, by refusing the oath now tendered : that this oath was offered in other courts ; neither did he believe any persons learned in the laws could think it unlawful.

ELIZABETH.
swearing to interrogatories maintained by attorney-general Popham.

Dr. Lewin, a civilian, and another of the commissioners, told Cartwright he was much mistaken in calling it an oath *ex officio* : for that the tendering the oath was enjoined by the queen's commission. And here Dr. Bancroft observed, that the methods of this court had not been always exactly the same ; and that, in some commissions, the clause of examining upon oath had been omitted. The bishop disagreed with the doctor upon this point. He had been a commissioner thirty years, and vouched the practice of inserting the oath for all that time. Bancroft told Cartwright he had taken this oath twenty years since, and asked him which way the course of time could work upon the matter of this test, and make that unlawful which was lawful before. To this Cartwright returned, that he then took the oath with an express reservation, and besides, that he was now farther informed in the point. Bancroft insisted, that every person that had done an injury, was obliged to make an acknowledgment, and give satisfaction ; and that this reason would still hold stronger from the subject to the prince. Cartwright replied, that this general rule must come under some exceptions : and an instance being demanded, he argued, that if he had reported any thing to the disadvantage of a third person, who knew nothing of it ; in this case it was not agreeable to the rule of charity to relate what had passed to the injured person. His reason was, because such a confession would probably break friendship which would otherwise have continued : but I shall leave this casuistry to the reader. To proceed : Bancroft objected to Cartwright, that none could be received into their conferences, or meetings, without subscribing a submission to all orders prescribed by the governing part : and that if the interpretation of a text of Scripture was thus determined, none of their communion had the liberty of going off from it : and that their proceeding in this manner was matter of fact, was affirmed by the deposition of three or four witnesses. As to the requiring

WHIT-
GIFT,
Abp. Cant.

*Bancroft
objects the
danger to the
government
by setting up
the discipline.*

*Strype's Life
of Bishop
Ailmer.*

*A bill pre-
ferred in the
Star-cham-
ber against
several non-
conforming
ministers.*

subscriptions from those admitted, much less such subscrip-
tions as Bancroft mentioned, Cartwright declared, that neither
himself, nor any he knew of, had done any such thing.
Lastly, Bancroft objected the dangerous reserves in the Dis-
senter's discipline; that they designed to drive over the laws,
and force their reformation upon the government. For this
jealousy he brings instances from some of the English refugees
at Geneva, from the French Hugonots, from Calvin and Knox.
To this Cartwright returns a lame answer, and overlooks
matter of fact. But for this I shall refer the reader to what
has been already related.

And now it may not be improper to give a more particular
account of the articles charged upon the non-conforming
ministers in prison. The ecclesiastical commissioners having
spent some time in examining witnesses, and other preparatory
business, referred the farther prosecution to the lords of the
Star-chamber. And here an information was preferred against
the Dissenters by the attorney-general. The complaint suggests,
“that some seditious people had formed a government of the
Church, consisting of doctors, pastors, elders, deacons, and such
like. That a new form of Common Prayer, and administration
of the sacraments and Church discipline, comprised in a book
entitled, “*Disciplina ecclesiæ sacra, Dei verbo descripta*,” had
been lately set forth, together with other books and pamphlets
of a resembling nature. That the defendants had unlawfully
and seditiously assembled themselves together concerning the
premises. That in those assemblies they had treated of, and
concluded upon sundry seditious articles in allowance of the
same books, and of the matters therein contained. That in
some of those assemblies, the defendants had subscribed those
articles, and put part of them in execution: that for these
misdemeanours they had been brought before the high com-
missioners, where they refused to take the oath for answering
such interrogatories as were to be put to them on her majesty's
behalf: that under pretence of discipline and charity, they
claimed a power of intermeddling in all sorts of causes whatso-
ever: and that they had persuaded sundry of her majesty's
subjects to refuse the taking an oath to answer to any matter
that might concern the unlawful proceedings and doings of
themselves, their brethren and teachers.”

To go on with the narrative of this affair.

“To the bill of complaint, the defendants, in their answer, have confessed their refusing to take the oath before the commissioners: and to the rest of the most material matters have made an evasive and insufficient answer. That this answer being referred by the court to the consideration of the chief justices, the chief baron, and Mr. justice Gawdy, these reverend judges marked the questions where their answers were short and unsatisfactory: that notwithstanding this resolution of the judges, their next answer was little less imperfect: that when interrogatories were afterwards put to them upon the parts of the bill, they declined making answer to the main questions: that the judges, at the instance of the court, pointed out more distinctly the interrogatories which ought to have been clearly and directly answered: that the defendants, notwithstanding being examined upon these interrogatories, refused to answer.”

ELIZABETH.

The defendants refuse to answer several questions. June 23, 1591.

The questions put to them were these:—

“Where the said assemblies were made, when, and how often? Who were at the same assemblies as well as themselves? What matters were treated of in the same assemblies? Who made or set forth, corrected or reformed, the said Book of Discipline, or any part thereof? Who subscribed, or submitted themselves to the same book, or the articles therein concluded, besides the said defendants? Whether, in a Christian monarchy, the king is to be accounted among the governors of the Church, or among those which are to be governed by pastors, doctors, or such like?

“Whether, in a well-ordered Church, it is lawful for the sovereign prince to ordain orders and ceremonies appertaining to the Church? Whether ecclesiastical government established by her majesty’s authority within the Church of England, be lawful, or allowed by the word of God? Whether the sacraments ministered within her majesty’s dominions, as they be ordained by the Book of Common Prayer to be ministered, be godly and rightly ministered?”

Idem.

The prosecutions of these ministers occasioned a farther consultation amongst some of the party, which way the prisoners might be assisted. But before any thing was either done for them by their friends, or against them by the Star-

WHIT-
GIFT,
Abp. Cant.

chamber, another surprising business broke out. I shall therefore now proceed to finish the story of the three impostors above-mentioned. These men were by this time, as they pretended, thoroughly convinced of the lawfulness of their mission: and that it was now time to hang out the signal, to make a blaze, and set up Hacket. Things being thus far believed, or concerted, Coppingher and Arthington came to Hacket's lodgings, and here after some preparatory prayers for the direction of the Holy Spirit, Arthington charged Coppingher in the name of the Lord Jesus to break off his devotions, and anoint the king (meaning Hacket) with the Holy Ghost. Upon this, Coppingher rose from his knees; and after three profound reverences to Hacket, then in bed, approached to perform the ceremony. Hacket, taking him by the hand, told him, there was no occasion for his anointing him, for he had been anointed already in heaven by the Holy Ghost. Then Coppingher desiring they might receive his commands, he gave them their instructions in these words:—

Cosins' Con-
spiracy for
Pretended
Reforma-
tion.
631.

“Go your way both,” says he, “and tell them in the city, that Christ Jesus is come with his fan in his hand, to judge the earth. And if any man ask you where he is, tell them he lies at Walker's house by Broken-wharf: and if they will not believe it, let them come and kill me, if they can; for as truly as Christ Jesus is in heaven, so truly is he come to judge the world.”

*The sub-
stance of
what they
delivered.*

Coppingher and Arthington obeyed the orders immediately. The first pretended to be the prophet of mercy, and the other the prophet of judgment. Coppingher published his message below stairs; and then, both of them running into the streets, went on in the discharge of their commission, adding over and above, from themselves, “Repent, England! repent.” When they came towards the cross in Cheapside, the crowd grew so big that they could pass no farther.

*Coppingher
and Arthing-
ton proclaim
Hacket king
of Europe in
Cheapside.*

Upon this, they mounted an empty cart, and harangued the people. And here they began to dilate farther upon Hacket's character, to blazon his authority, and proclaim his business and their own. And to prevent mistakes in the delivery, they had set down their speech in a paper, which they read in the cart. The substance of it was, that Hacket represented Christ by a communication of his glorified body, by his principal spirit, as their cant goes on; by the office of

parting the good from the bad, with his fan in his hand; and by establishing the Reformation, and the holy cause, throughout all Europe. This division, it seems, they took for the whole world; that these glorious things were immediately to be accomplished; and that themselves were two prophets sent to proclaim his dignity, and preach submission; for that Hacket was king of Europe, and ought to be obeyed as such; and all princes were to hold of him as lord paramount; that the queen had forfeited her crown, and deserved to be deposed. In the close, they charged two lords, and another member of the privy council, with treason, and prayed God to confound them.

ELIZABETH.

That these men designed violence against the government, appears by their letters and examination. For instance, Coppingher, speaking of the lords of the council, uses this expression: "The Lord pardon their souls, for in their outward man they must be punished, though they repent." And the time for executing their plot drawing nigh, Coppingher advises that all her majesty's privy council should be commanded to keep their houses and apartments, for fear of stirs and danger.

Their design against the queen, privy council, &c.

Coppingher's Letter.
Bancroft's Dangerous Positions, book 4, chap. 11.
Ibid.

Farther, Arthington confessed, that he verily believed Hacket intended to set aside her majesty, to have murdered those noblemen which opposed his enterprise, and to have done something more, which he had not courage to express. As to the queen, they said she deserved to be deposed for giving credit and countenance to the bishops, and such other wicked persons, and for maltreating her good subjects. What was farther confessed by Hacket shall be related by and by.

The entertainment the missionaries met with in the city, was short of their expectation and desert. For as, on the one hand, the people admired their resolution, and heard their blasphemy and treason, without showing any signs of dislike: so, on the other hand, they did not receive them with acclamations: they did not declare for Hacket, salute him with his royal titles, nor offer themselves as a guard. Coppingher and Arthington being thus disappointed, as it is most likely, and balked of an insurrection, returned to Hacket's lodging. When this surprising scene was opened, the court was at Greenwich: when the news came, the queen dispatched two of the privy council to examine the matter. About one in the afternoon, Coppingher, Arthington, and Hacket were

WHIT-
GIFT,
Abp. Cant.

*They are
examined
and im-
prisoned.*

brought before some of the privy council and the lord mayor. When they appeared, they kept on their hats, and refused to pay any respect; and being demanded the reason of this rudeness, their answer was, they were persons of much greater quality than those that pretended to examine them. Thus they supported the character they had taken with a great deal of insolent assurance. Hacket, at his first examination, held up his pretensions, owned that he had moved Coppingher and Arthington to deliver the message God had charged them with, declared the queen had forfeited her crown by suffering her ministers to apply to extraordinary methods for establishing religion. But being afterwards set upon the rack, he acknowledged her majesty his lawful sovereign, and declared himself sorry for his misbehaviour: adding, withal, that if Coppingher and Wiggington were closely examined, they would make a considerable discovery of treason. And now the two prophetic heralds, and their principal, were committed. And upon the 26th of July, Hacket was tried at the Old Bailey, and two indictments found against him. The indictments set forth, that Hacket had published that queen Elizabeth was not queen of England; that he had defaced her majesty's arms, and struck a dagger through the heart of her picture, with some other treasonable practices already mentioned.

*Hacket
brought to
his trial.*

Popham.

Hacket pleaded guilty to one indictment, and stood mute to the other. And thus there was no occasion, either for the queen's counsel to open the charge, or to bring any evidence against him. However, for public satisfaction, the attorney and solicitor-general set forth the treason carried on by Hacket and the other two. The attorney-general observed, that these plots and conspiracies had their rise and encouragement from the sectaries. That Coppingher, in a letter to Udall, bid him and the rest in prison not be dispirited: for that himself and some others had taken a course for their speedy deliverance; that letters menacing the government were dispersed in the street five or six days after Hacket was proclaimed; that printed pamphlets were found in Wiggington's chamber, to be sent to a great number of women. But who these women were, the attorney was not willing to name.

Egerton.

The queen's solicitor discoursed, that no treason was more dangerous than that which was wrapped up in mystery, and went under disguise. And that those who covered their re-

bellion with pretences of zeal for religion, did commonly most mischief.

ELIZA-
BETH.

This remark he made good by instancing the Anabaptists at Munster, and the ravages committed by the boors in Germany. After this, he recited some of Hacket's treasonable and blasphemous expressions already mentioned. Then the recorder gave judgment upon him. In the interval between the sentence and the execution, he was visited by several divines, and brought to sobriety and repentance. But when he came to suffer, he relapsed into raving and blasphemy, and died in that desperate condition.

*He blas-
phemes at
his death.
July 28,
1591.
Cosins' Con-
spiracy for
Pretended
Reforma-
tion.*

Coppingher refused to eat for eight days, and died starved in Bridewell. Arthington, upon Hacket's execution, wrote to the privy council, desired their lordships to intercede for his pardon to the queen, confessed his being seduced, and made a farther discovery.

632.

Now what the principles were that worked these men to this surprising pitch, what were the main springs of the enterprise, and what motions hurried them to such desperate declarations and designs, is not easy to account for. Whether heat of temper, strains of hypocrisy, or diabolical illusion, carried them thus far, is somewhat uncertain. It is possible they might think it necessary to flash in the face of the crowd, and give their confidence a lustre; and that the people were not to be gained without bold pushing, and extraordinary pretensions. But let this be as it will, it is pretty plain the men were short of distraction; for though art or enthusiasm might make their conduct very odd, and carry them to flights of singularity; granting this, yet that they were unseized by madness appears by the consistency of their letters, by the reserves of their management, and by the dexterity of their answers when examined. This the learned Cosins proves at large in vindication of the queen's justice, and draws a parallel betwixt them and John à Leiden, Rotman, and Kniperdoling, at Munster¹.

*These enthu-
siasts not
under dis-
traction.*

*Ibid. p. 130
to 134.*

Now whether the nonconforming ministers may be cleared from approving the designs of these impostors is somewhat questionable; that something of a correspondence was held, may be conjectured from Coppingher's letter to Udall, already

*Whether the
noncon-
formist
ministers
behaved
themselves
unexception-
ably in this
juncture.*

¹ Our recent juries would probably have given a verdict of insanity against these men. Be this as it will, madness has many more modifications and varieties than Collier seems to allow, and to which his reasoning does not apply.

WHIT-
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mentioned; that Cartwright had condescended some lengths to satisfy Coppingher's conscience, appears by another letter of this gentleman; in which he desires his friend to give "great thanks to good Mr. Cartwright for satisfying him in some questions, which, at the first, he thought little use to be made of." In this letter Coppingher takes notice that Hockenhull, who brought him the renouncing message from Cartwright, and the other preachers above-mentioned; Coppingher, I say, takes notice that Hockenhull misreported these nonconforming ministers, exceeded his commission, and delivered their dislike in harsher terms than they had given him.

Copping-
her's Letter
to a Friend,
May 21,
1591.
Bancroft's
Dangerous
Positions,
book 4,
chap. 8.

Farther, it was expected that, at the end of Trinity term, this year, Cartwright, and the other ministers in prison, would have been brought to their trial in the Star-chamber. And now something of rigour being apprehended from the process, Coppingher writes these menacing expressions to Lancaster, the schoolmaster. "If our preachers in prison," says he, "do appear to-morrow in the Star-chamber, and our great men deal with them so as it is thought they will; if God does not throw some fearful judgment amongst them, so as some of the chief go not alive out of the place, then never give credit to me in anything whilst you live." But Cartwright and the rest not being called for by the court, this desperate resolve came to nothing.

Bancroft,
Ibid. chap. 9.
June 24,
1591.

The reader may observe, farther, that Coppingher, Arthington, and Hacket, the same morning they made their seditious proclamation in Cheapside, came to Wiggington, and told him that Cartwright had done more against Antichrist than any person living since the Apostles; that Wiggington himself was a man of equal merit; and that Lancaster exceeded them both. They likewise assured Wiggington, that Reformation and the Lord's discipline should be immediately established.

Ibid.
chap. 10.

Farther, Arthington confessed, in his examination, that one Penry, a Puritan minister, wrote to him from Scotland, to acquaint him "that Reformation must shortly be erected in England, and that he took him for a true prophet." This Penry was in London when Hacket was proclaimed; and it is probable, if the train had taken fire, and the mob kindled, he might have made his advantage of the juncture; that he waited

Ibid.

the event seems not very unlikely, because when Hacket was executed, he posted immediately towards Scotland.

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That some of the Dissenting ministers in London were acquainted with Coppingher's intention, is plainly affirmed by himself. He grants the warrantableness of the business was not denied; but they thought the weight was more than he could move, and that the enterprise could not be attempted without danger to himself and the cause. This was Egerton's sense, who, notwithstanding he would not venture to approve Coppingher's extraordinary calling, yet for fear of giving discouragement, he threw in this qualified expression, "that he would be loth to quench the Spirit of God in him, or hinder his zeal."

Ibid.
chap. 10.

To fortify this suspicion upon the Dissenters, it is observed that a great many bold libels were published about this time to overawe the bishops and magistracy, and to fright them into laying the reins on the neck of the faction. Some of the expressions, as Bancroft reports, are very remarkable. For instance, they threaten, "That if the brethren are disturbed, great troubles will ensue; that it is time to set up the discipline themselves, without waiting any longer for parliaments; that there are greater numbers in this interest than can be suppressed; that there are a hundred thousand of this sentiment in England, who, if they address her majesty for the discipline, she cannot refuse them without danger; that the bishops shall be treated here as they were in Scotland, and sent packing with the monks and friars;"—with a great deal more to this purpose.

Ibid.
chap. 12.

From what has been already related, it appears that Cartwright, Egerton, Travers, Charke, and others, were acquainted that Coppingher had some desperate design in hand; that he laid claim to an extraordinary calling, pretended a privilege from the common rules of duty, and had discovered a general resolution of doing some things by no means justifiable. Now why did not these ministers combat his enthusiasm, censure his measures, and do their utmost to bring him off his designs? why did not they lay open the iniquity of his principles, and rescue him from so damnable a delusion? Now it does not appear any great pains were taken towards his recovery; but if they despaired of success, and found him incorrigible, why did they not inform against him, and lay open the

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danger to the government? What made them conceal their knowledge, venture the issue, and suffer Coppingher and the rest to run the length of their distraction? These are questions, I am afraid, not easily answered.

Stone's confession with reference to the Dissenters.

633.

Fuller, from
Stone's Con-
fession under
his own
Hand,
book 9.

To proceed: the same day Hacket was executed, Thomas Stone, parson of Warkton, in Northamptonshire, took the oath to answer to interrogatories, and was examined in Gray's-inn, by the examiner for the Star-chamber. This Stone was, notwithstanding his living, a Dissenting minister, and had a share in the consultations and assemblies of the Puritans; he gave an account of the greater and lesser assemblies, where they met, how often, and what persons assisted in them. He likewise answered several questions concerning the authority by which they met, who were moderators, what points were debated, and what censures exerted. Most of which particulars, having been mentioned upon other occasions, I shall pass over.

This confession of Stone was ill taken by his party; they looked upon it as an unkind singularity, and a reflection upon the rest. To wipe off this aspersion, he found it necessary to draw up the reasons of his compliance with the government thus far.

“First. He thought it unlawful to refuse an oath given by a lawful magistrate in behalf of the prince, for a lawful end.

“Secondly. That having taken such a lawful oath, he had not the liberty to say nothing, and much less to deliver an untruth.

“Thirdly. That had he not been under the engagement of an oath to discover his knowledge, yet he conceived such a silence unwarrantable which gave just suspicion of treason, rebellion, sedition, &c.

“Fourthly. He thought such concealment might be of ill precedent, and encourage traitors, and other malefactors, to keep their accomplices undiscovered.

“Fifthly. That the clearing of a doubtful fact requires the laying open the circumstances.

“Sixthly. That silence which smothers an important truth, and leaves it unsupported with evidence, is unlawful.

“Seventhly. That the concealing matter of fact any longer was impracticable. His reasons were, because several letters of the ministers imprisoned had been intercepted; some false

brethren had given information; and some weak people had been surprised into voluntary confessions; and, lastly, because several Dissenters were of his opinion, and resolved to answer upon oath when called to it.

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“Eighthly. That the reputation of a minister especially ought to be preferred to his liberty, &c. But by this mysterious refusing to answer questions, a great many good ministers have suffered in their character.

“Ninthly. Standing mute to interrogatories of this kind has occasioned the commitment of some people, and lengthened the confinement of others; and, over and above, has made them suspected of a practice against the State.

“Tenthly. Refusing to answer interrogatories touching religion, argues either guilt or want of courage.”

Transcribed
by Fuller
from Stone's
Letters,
Church
Hist. book 9.

These are the main grounds Stone went upon in his vindication. Whether this defence gave his party satisfaction or not is more than I can affirm. However, it is certain the ingenuity of his confession recommended him to the bishops; and thus, looking on him as a man of conscience, they suffered him to enjoy his living, notwithstanding his nonconformity.

This year the university of Dublin was founded by queen Elizabeth.

About this time the contest between Hooker and Travers began. The first was master, and the other lecturer, of the Temple. Hooker was a general scholar, and particularly well read in the Fathers, councils, and ecclesiastical history. Travers was a good orientalist, and seemed farther improved in words than things. • He was of the same college with Cartwright, and had made an acquaintance with him. From Cambridge he travelled to Geneva, where he fell into an intimacy with Beza and the consistory, and was much affected with their new discipline. After some time he returned into Flanders, and was made a minister by the presbytery of Antwerp; that is, they did what they could towards giving him a holy character. And here he preached with Cartwright to the English factory. When he came over, he was recommended to the lord Burleigh, who entertained him as chaplain. And now nothing but his scrupling conformity could have hindered his preferment; but not being able to pass the test of the ceremonies and articles, he found himself embarrassed.

*The contest
between
Hooker and
Travers.*

*This appears
by their certi-
ficate of May
14, 1538.*

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However, the interest of his patron procured him the lecture of the Temple ; and here, managing with address, and preaching plausibly, he was much valued among the students. He had several good qualities to recommend him ; for his gestures were moving and graceful, his delivery affecting enough, his method was clear and artificial, and his style rhetorical. By these advantages he gained upon the long robe, disinclined them to the English hierarchy, and brought them to a fancy for the Geneva model. And it was thought the wrong impression the lawyers received from Travers's preaching, made some of them afterwards abet the Puritans in the house of Commons. Travers being thus planted in London, and having the character of a celebrated preacher, made a figure among the Disciplinarians, presided for the most part in their classical meeting, and transmitted their resolutions to their Churches in the country. Upon this raised ground Travers stood when Hooker was made master of the Temple. This divine was a thorough Conformist, and a person of great learning and judgment. He made it his business to recover the audience to a due regard for the worship and government of the English Church. Nothing could be more solid and instructive than his matter ; but then his manner was not very engaging ; his voice was neither musical nor strong ; his gestures were languid, and his periods drawn out too far. In short, there was neither sound or motion to make his way, and he had little more than the strength of his reasoning to assist him ; and bare argument, without equipage and oratory, is not always successful. However, the more judicious part of the audience reached the sense through these disadvantages ; and thus his sermons were not without their effect. Travers was ill pleased with Hooker's management, and made it his business to confute that in the afternoon which the other preached in the morning. Hooker, being a man of a gentle unpretending temper, took no notice of this usage for some time ; but at last, concluding these pulpit combats might prove unserviceable, he complained to the archbishop. This complaint happened to be made at a seasonable juncture ; for now Cartwright, Snape, and some other leading men of the Puritan persuasion, were brought before the High Commission. And thus the commissioners finding the Nonconformists pushing and troublesome, they signed an order for the silencing Travers in the Temple and elsewhere. The order was passed

*Travers
silenced by
the High
Commission.*

upon these suggestions: "That he was no lawfully ordained minister according to the Church of England; that he preached without being licensed; that he had openly presumed to confute such doctrine as had been publicly delivered by another preacher, without giving notice of these controversial sallies to the lawful ordinary; and that this liberty was contrary to a provision made in the seventh year of this reign, for avoiding disturbances in the Church."

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Travers had too much spirit and interest to acquiesce under this discouragement. He petitioned the lords of the council for redress, and excepted to the legality of the proceedings against him. But when the articles were pressed close, he made but a weak defence. For instance: to the charge of his executing the function of a presbyter without lawful orders, he replied no more than that, by virtue of the communion of saints, all ordinations were equally valid in a Christian Church. As to his preaching without a faculty in form from the diocesan, his answer was, the bishop of London had recommended him by two letters to the Templars, and this he conceived tantamount to a licence for preaching to that congregation. And lastly, as for his clashing with Hooker, and endeavouring to disprove his sermons, he conceived St. Paul's withstanding St. Peter to his face would justify his conduct; for where truth is likely to suffer, all regard to persons must be overlooked. Hooker, in his answer to Travers's supplication, rubbed out these colours; and thus Travers miscarried at the council-board: the archbishop not forgetting to remind the lords of what ill consequence it might be, to suffer a man so dangerously furnished, both with parts and principles, to harangue the inns of court.

He petitions the council, but without success.

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This disappointment was made easy in some measure to Travers, by an invitation he received from Adam Loftus, archbishop of Dublin, and chancellor of Ireland. This prelate gave him an offer of the provostship of Trinity-college in that city, which he accepted. He lived not many years in this island; whether his being unacceptable upon the score of his nonconformity, or a prospect of that kingdom being embroiled, brought him back into England, is uncertain. After his return hither, he was less enterprising, and the edge of his zeal was somewhat abated. And thus, though with a slender fortune, he passed the remainder of his time more comfortably.

Fuller's Church History.

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The Nonconformists being somewhat severely handled by the High Commission, endeavoured to disarm that jurisdiction. To this purpose they framed objections against the authority and proceedings of the court. The occasion was this: One Caudrey, parson of South Lufnām, in the county of Rutland, had been prosecuted in the high commission for preaching against the Book of Common Prayer, and refusing to officiate in divine service pursuant to the directions of the Rubric. These articles being proved against him, he was deprived by the bishop of London, and some other of the queen's commissioners for ecclesiastical causes. He acquiesced for four years in the judgment of the court; but now incited, as it is thought, by some lawyers of Travers's party, he resolved to question the authority of that commission, and, by consequence, the legality of his deprivation. To this purpose he brought an action of trespass against one George Atton, for breaking his close, which was parcel of the aforesaid rectory. The jury gave a special verdict; that is, they found the matter of fact alleged in the action true; but whether it was justifiable or not, this they referred to the judgment of the court.

Coke's Reports, p. 5,
Caudrey's Case.

A resolution of the judges concerning the king's ecclesiastical supremacy.

The cause was argued at length by the counsel at the bar, and by the bench; who, having consulted the judges of the other courts, came at last to this resolution: "That the act of 1 Eliz. cap. 1, concerning ecclesiastical jurisdiction, was not a statute introductory of a new law, but declaratory of the old; that this act does not annex any jurisdiction to the crown, but that which in truth was, or of right ought to be, by the ancient laws of the realm, parcel of the king's jurisdiction, and united to his imperial crown, and which lawfully had been, or might be exercised within the realm." It was resolved farther, by all the judges, "That if the act 1 Eliz. cap. 1. had never been made, that the king or queen of England, for the time being, may make such an ecclesiastical commission (as was in force when the case was argued) by the ancient prerogative and law of England." Their ground is, "That by the ancient laws of this realm, the kingdom of England is an absolute empire, consisting of one head, which is the king; and that this kingly head is furnished with plenary power, prerogative, and jurisdiction, to render justice to every part of this body in all causes ecclesiastical or temporal¹." Their reason is, "Because other-

ibid.

¹ A declaration singularly favourable to the doctrine of Filmer and Hooker.

wise he should not be a head of the whole body." After this they come to a recital of the causes which by the laws of England are to be tried in ecclesiastical courts. In this list they reckon "blasphemy, apostacy from Christianity, heresies, schism, ordering admissions, institutions of clerks, celebration of divine service, rights of matrimony, divorces, general bastardy, subtraction and right of tithes, oblations, obventions, dilapidations, reparation of churches, probat of testaments, administration and accounts upon the same, simony, incests, fornications, adulteries, solicitation of chastity, pensions, procurations, appeals in ecclesiastical causes, commutation of penance. These, and such other causes as do not belong to the cognizance of the common laws of England, are to be determined and decided by ecclesiastical judges according to the king's ecclesiastical laws of this realm."

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Coke, *ibid.*
fol. 9.

In this resolution there are several remarkable things maintained by these reverend judges.

First. That an authority to assign such natural-born subjects as the king or queen shall think fit for the exercising all manner of ecclesiastical jurisdiction, and for the reforming and correcting all manner of heresies, schisms, offences, &c., which by any spiritual or ecclesiastical power or authority can or may be lawfully reformed or ordered; that such an authority was, or of right ought to be, by the ancient laws of the realm, parcel of the king's jurisdiction, and united to his imperial crown; and which lawfully had been, or might be, exercised within the realm.

*Remarks
upon the
resolution.*

Now, by qualifying their assertion with this disjunctive, that all this "had lawfully been, or might be, exercised," it is plain the judges were sensible the regale had not been always carried out to this extent. Unless they knew this, we must suppose them strangely unacquainted with the history of former times.

Secondly. It is resolved by all the judges, that if the statute of 1 Eliz. cap. 1 had never been enacted, the crown might have made such an ecclesiastical commission, and erected such a court as gave judgment against Caudrey. And if so, this act for restoring the ancient jurisdiction to the crown seems, as to this branch at least, altogether unnecessary. Upon the whole, it must be said this decision declares strongly for the prerogative.

Ibid., fol. 8.

Thirdly. The reverend judges founded this force and extent

Ibid.

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of the regale upon the absoluteness of the English monarchy ; they make it a crown jewel, and a quality essential to civil sovereignty. Now, it is well known the Roman emperors were much more absolute than the kings of England have been,—at least, for some late centuries. Therefore, if the regale, with the compass above-mentioned, is a necessary branch of the prerogative royal, it will follow, by inevitable consequence, that all the heathen emperors, from Tiberius to Constantine the Great, had a right to exercise all manner of ecclesiastical jurisdiction, and to visit, reform, and correct all heresies, schisms, offences, &c., which by “any manner of spiritual or ecclesiastical power or authority can or may be lawfully executed or redressed.” And thus those princes who are no members of the spiritual society must be heads of it ; and those who profess their disbelief of the Christian faith have the whole government and discipline of the Church lodged in their hands. And by this reasoning they may erect a court of Pagan commissioners to exert ecclesiastical censures, and pronounce in cases of heresy and schism. Now, whether this way of arguing can be reconciled to the commission granted by our Saviour to the Apostles and their successors, to the practice of the primitive Church, to the perpetuity of the Christian religion, the reader may judge by what I have formerly observed upon this subject. To fortify the resolution of these reverend judges, the learned sir Edward Coke cites several historical passages and law cases. But the pertinency and force of these authorities has been considered already, and therefore I shall add nothing farther.

Coke, from
fol. 9 to 40.

See this Ch.
Hist. vol. 1.
and above,
vol. 2.

*A complaint
against the
High Com-
mission, and
other spi-
ritual
courts.*

The Nonconformists, miscarrying in Caudrey's case, made a more direct attack upon the High Commission and the bishops' courts. They complained in print, that the queen could not convey that authority which was exercised by the high commissioners, and that they had no power to tender the oath *ex officio*, and that the spiritual courts were only to take cognizance of testamentary and matrimonial causes. To this the civilians replied, “that to contest the authority vested in the queen by act of parliament was downright invasion of the prerogative-royal, and subversive of the government. And as for the ordinary episcopal courts, they had not exceeded their bounds.” From hence they proceeded to a defence of the oath *ex officio*, upon some of the grounds already mentioned.

In this controversy, Dr. Richard Cosins, dean of the Arches, distinguished himself in a learned tract, entitled, "An Apology for Proceedings in Courts Ecclesiastical," &c.¹

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¹ While on this topic I shall quote the following remarks from Tomlins's edition of "Hume's History."

"The most material article which the commons touched upon in their petition, was the court of ecclesiastical commission, and the oath *ex officio*, as it was called, exacted by that court. This is a subject of such importance as to merit some explanation.

"The first primate after the queen's accession was Parker; a man rigid in exacting conformity to the established worship, and in punishing, by fine or deprivation, all the puritanical clergymen who attempted to innovate any thing in the habits, ceremonies, or liturgy of the Church. He died in 1575; and was succeeded by Grindal, who, as he himself was inclined to the new sect, was with great difficulty brought to execute the laws against them, or to punish the non-conforming clergy. He declined obeying the queen's orders for the suppression of 'prophesyings,' or the assemblies of the zealots in private houses, which she apprehended had become so many academies of fanaticism; and for this offence she had, by an order of the Star-chamber, sequestered him from his archiepiscopal function, and confined him to his own house. Upon his death, which happened in 1583, she determined not to fall into the same error in her next choice; and she named Whitgift, a zealous churchman, who had already signalized his pen in controversy, and who, having in vain attempted to convince the Puritans by argument, was now resolved to open their eyes by power, and by the execution of penal statutes. He informed the queen that all the spiritual authority lodged in the prelates was insignificant without the sanction of the crown; and as there was no ecclesiastical commission at that time in force, he engaged her to issue a new one; more arbitrary than any of the former, and conveying more unlimited authority. She appointed forty-four commissioners, twelve of whom were ecclesiastics; three commissioners made a quorum; the jurisdiction of the court extended over the whole kingdom, and over all orders of men; and every circumstance of its authority, and all its methods of proceeding, were contrary to the clearest principles of law and natural equity. The commissioners were empowered to visit and reform all errors, heresies, schisms; in a word, to regulate all opinions, as well as to punish all breach of uniformity in the exercise of public worship. They were directed to make inquiry, not only by the legal methods of juries and witnesses, but by all other means and ways which they could devise; that is, by the rack, by torture, by inquisition, by imprisonment. Where they found reason to suspect any person, they might administer to him an oath, called *ex officio*, by which he was bound to answer all questions, and might thereby be obliged to accuse himself or his most intimate friend. The fines which they levied were discretionary, and often occasioned the total ruin of the offender, contrary to the established laws of the kingdom. The imprisonment to which they condemned any delinquent was limited by no rule but their own pleasure. They assumed a power of imposing on the clergy what new articles of subscription, and consequently of faith, they thought proper. Though all other spiritual courts were subject, since the Reformation, to inhibitions from the supreme courts of law, the ecclesiastical commissioners were exempted from that legal jurisdiction, and were liable to no control. And the more to enlarge their authority, they were empowered to punish all incests, adulteries, fornications; all outrages, misbehaviours, and disorders in marriage: and the punishments which they might inflict, were according to their wisdom, conscience, and discretion. In a word, this court was a real 'inquisition;' attended with all the iniquities, as well as cruelties, inseparable from that tribunal. And as the jurisdiction of the ecclesiastical court was destructive of all law, so its erection was deemed by many a mere usurpation of this imperious princess; and had no other foundation than a clause of a statute, restoring the supremacy to the crown, and empowering the sovereign to appoint commissioners for exercising that prerogative. But prerogative in general, especially the supremacy, was supposed in that age to involve powers which no law, precedent, or reason could limit and determine.

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Notwithstanding the misfortune of the combat, the Puritans rallied the cause in a book called "A Petition to her Majesty."

"But though the commons, in their humble petition to the prelates, had touched so gently and submissively on the ecclesiastical grievances, the queen, in a speech from the throne at the end of the session, could not forbear taking notice of their presumption, and reproving them for those murmurs which, for fear of offending her, they had pronounced so low as not directly to reach the royal ears. After giving them some general thanks for their attachment to her, and making professions of affection to her subjects, she told them, that whoever found fault with the Church threw a slander upon her, since she was appointed 'by God' supreme ruler over it, and no heresies or schisms could prevail in the kingdom but by her permission and negligence: that some abuses must necessarily have place in every thing, but she warned the prelates to be watchful; for if she found them careless of their charge, she was fully determined to depose them: that she was commonly supposed to have employed herself in many studies, particularly philosophical (by which we suppose she meant theological), and she would confess that few, whose leisure had not allowed them to make profession of science, had read or reflected more: that as she could discern the presumption of many, in curiously canvassing the Scriptures, and starting innovations, she would no longer endure this licentiousness; but meant to guide her people, by God's rule, in the just mean between the corruptions of Rome and the errors of modern sectaries: and that as the Romanists were the inveterate enemies of her person, so the other innovators were dangerous to all kingly government; and, under colour of preaching the word of God, presumed to exercise their private judgment, and to censure the actions of the prince¹.

"From the whole of this transaction we may observe, that the commons, in making their general application to the prelates, as well as in some particular articles of their petition, showed themselves wholly ignorant, no less than the queen, of the principles of liberty, and a legal constitution. And it may not be unworthy of remark, that Elizabeth, so far from yielding to the displeasure of the parliament against the ecclesiastical commission, granted, before the end of her reign, a new commission; in which she enlarged, rather than restrained the powers of the commissioners.

"As the establishment of this despotic court has been a subject of considerable contest amongst our best historians, we shall make a few remarks upon it. Those writers who have inclined to what is termed the popular side of politics have accused Hume (and apparently in many instances justly) of heightening the despotic conduct of the Tudor, in order, by contrast, to soften that of the Stuart princes. And his dissertation on the despotic powers of the court has particularly attracted attention.

"On the disputed subject of the high commission, Mr. Brodie², who has proved himself a worthy opponent of Hume, has made the following remarks:—

"The next subject that demands attention is the court of High Commission³, which was founded upon a clause of the act that restored the supremacy to the crown, in the 1st of Elizabeth. The words are these: 'The queen and her successors shall have power, by their letters-patent under the great seal, to assign, name, and authorize, when and as often as they shall think meet and convenient, and for as long time as they shall please, persons, being natural-born subjects, to exercise, use, occupy, and execute, under

"¹ The puritanical sect had indeed gone so far, that a book of discipline was secretly subscribed by above five hundred clergymen; and the Presbyterian government thereby established in the midst of the Church, notwithstanding the rigour of the prelates and of the High Commission. So impossible is it by penal statutes, however severe, to suppress all religious innovation.

"² 'A History of the British Empire, from the Accession of Charles I. to the Restoration.' By George Brodie, esq., Advocate. 4 vols. Bell and Bradfute, Edinburgh, 1822.

"³ The ancient courts of Delegates and Star-chamber seem to have formed the models out of which the High Commission sprung.

The design of this pamphlet was to persuade the people that the ecclesiastical government ought to be changed, and the

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her and them, all manner of jurisdiction, privileges, and pre-eminences, in any wise touching or concerning any spiritual or ecclesiastical jurisdiction, within the realms of England and Ireland, and to visit, reform, redress, order, correct, and amend all such errors, heresies, schisms, abuses, contempts, offences, and enormities whatsoever, 'which, by any manner of spiritual, or ecclesiastical power, authority or jurisdiction, can or may lawfully be reformed, ordered, redressed, corrected, restrained, or amended:' provided that they have no power to determine any thing to be heresy, but what has been adjudged to be so by the authority of the canonical scripture, or by the first four general councils, or any of them; or by any other general council, wherein the same was declared heresy by the express and plain words of canonical scripture; or such as shall hereafter be declared to be heresy by the high court of parliament, with the assent of the clergy in convocation.' This statute confers no power whatever to fine, imprison, or inflict corporal punishment; and when the court transgressed its limits, the remedy was always in the power of the injured, by applying to the ordinary courts for a prohibition. The real object was to correct the heresies of the clergy, by suspension and deprivation; and surely, if there be a national establishment, all, that enjoy functions under it, ought to conform to its rules. Were it otherwise, the office might be converted to a very different purpose; and here it may be remarked, that the numerous suspensions and deprivations in this reign, (their number, by the way, may be fairly doubted,) afford no ground for charging the government with tyranny, since the doctrine and conduct of the ecclesiastics were irreconcilable to the establishment under which they accepted of livings. At this day the same consequences would follow.—Various commissions were issued by this princess; and, in 1584, she granted one to forty-four individuals, by which she empowers them to inquire into all misdemeanors, not only by the oath of twelve men, and by witnesses, 'but by all other ways and means they can devise.' Mr. Hume, following Mr. Neal, says, that this included the rack, torture, inquisition, imprisonment: but, besides that the rack never was attempted, the other clauses distinctly show that it never was contemplated¹. The very next clause distinctly appoints them to punish all who obstinately absent themselves from church, &c., by censure, or any other 'lawful' ways and means, and to levy the penalties according to the forms prescribed by the act of uniformity. The third clause authorizes them to visit and reform heresies, &c., which may 'lawfully be reformed or restrained by censures ecclesiastical, deprivation or otherwise, according to the power and authority limited and appointed by the laws, ordinances, and statutes of the realm.' The fifth clause empowers them to punish 'incest, adulteries, and all grievous offences punishable by the ecclesiastical laws, according to the tenour of the laws in that behalf, and according to your wisdom, consciences, and discretions; commanding you, or any three of you, to devise all such 'lawful' ways and means for the searching out the premises, as by you shall be thought necessary.' Having cleared up this point, we may observe, that the commission was extremely arbitrary in authorizing the oath *ex officio*, by which the accused was bound to answer interrogatories against himself, and in empowering the commissioners to fine and imprison. Of its illegality the queen and commissioners were so fully aware, that, as we learn from sir Edward Coke, the commission was not, as it ought to have been, enrolled in Chancery, lest it should have been questioned. Besides, though fines were 'imposed,' not one was 'levied' in Elizabeth's time, by any judicial process out of the exchequer; 'nor any subject, in his body, lands, or goods, charged therewith.'

"Many arbitrary acts were committed by the commissioners; but, though Mr. Neal is pleased in one place to say, that the privilege of prohibition from Westminster-

¹ I fear that Hume's assertion respecting the rack, &c. is too true. Hacket, according to Collier, was tortured by this infernal instrument—not to mention many other instances.

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Abp. Cant.

Presbyterian discipline set up ; that this latter was practised in the primitive Church, and commanded to be continued

hall was seldom allowed by the commissioners, there does not appear, even from his own writings, to have been an instance of the prohibition having been refused. Indeed, when it came to that, the ordinary courts were bound to support their own jurisdiction, and the judges, in that reign, afforded many proofs of their readiness to assert the laws. The great cause of so many submitting to injustice and oppression from this court, seems to have been their unwillingness to forfeit all hope of ecclesiastical preferment ; for they never scrupled to accept of livings under an establishment, which yet they would not allow to be a Church. The commissioners used to send pursuivants to ransack houses ; but, when an individual defended his rights by killing the officer who attempted to enter his house by virtue of a warrant from the commissioners, the ordinary judges declared that he was not liable to prosecution, and dismissed him from the bar. It was in the time of Charles I. that this court lost all decency, and was no longer under the control of the laws, as the judges, who were governed by Laud, and changed at the pleasure of the king, did not longer vindicate their own jurisdiction.'

" Hallam has only the following brief notice of this important institution :—

" ' The act of supremacy, while it restored all ecclesiastical jurisdiction to the crown, empowered the queen to execute it by commissioners appointed under the great seal, in such manner and for such time as she should direct ; whose power should extend to visit, correct, and amend all heresies, schisms, abuses and offences whatever, which fall under the cognizance and are subject to the correction of spiritual authority. Several temporary commissions had sat under this act with continually augmented powers, before that appointed in 1583, wherein the jurisdiction of this anomalous court almost reached its zenith. It consisted of forty-four commissioners, twelve of whom were bishops, many more privy-counsellors, and the rest either clergymen or civilians. This commission, after reciting the acts of supremacy, uniformity, and two others, directs them to inquire from time to time, as well by the oaths of twelve good and lawful men, as by witnesses and all other means they can devise, of all offences, contempts or misdemeanors done and committed contrary to the tenour of the said acts and statutes ; and also to inquire of all heretical opinions, seditious books, contempts, conspiracies, false rumours or talks, slanderous words and sayings, &c., contrary to the aforesaid laws. Power is given to any three commissioners, of whom one must be a bishop, to punish all persons absent from church, according to the act of uniformity, or to visit and reform heresies and schisms according to law ; to deprive all beneficed persons holding any doctrine contrary to the thirty-nine articles, to punish incests, adulteries, and all offences of the kind ; to examine all suspected persons on their oaths, and to punish all who should refuse to appear or to obey their orders, by spiritual censure or by discretionary fine or imprisonment ; to alter and amend the statutes of colleges, cathedrals, schools, and other foundations, and to tender the oath of supremacy according to the act of parliament.'

" He calls this 'tremendous machinery,' and says lord Burleigh wrote in strong terms to Whitgift against the articles of examination as 'so curiously penned, so full of branches and circumstances, as he thought the inquisitors of Spain used not so many questions to comprehend and to trap their preys.' Hallam says in a note, 'the germ of the High Commission-court seems to have been a commission granted by Mary (Feb. 1557) to certain bishops and others to inquire after all heresies, punish persons misbehaving at church, and such as refused to come thither, either by means of presentment, by witness, or any other politic way they could devise ; with full power to proceed as their discretions and consciences should direct them ; and to use all such means as they could invent for the searching of the premises, to call witnesses, and force them to make oath of such things as might discover what they sought after. But the primary model was the inquisition itself.

" ' It was questioned whether the power of deprivation for not reading the Common Prayer granted to the high commissioners were legal ; the act of uniformity having an-

through all ages ; that the Nonconformits had done nothing against the statute 23rd Eliz. cap. 2 ; and that Udall was illegally condemned ; that the abettors of the consistory were unjustly charged with innovation and disloyalty. After this, the author made it his business to draw an odium upon the English hierarchy.

ELIZA-
BETH.

By these public challenges, the queen was fully convinced the Puritans were not to be governed by gentleness and conivance, and that nothing but fear and impotence would make them sit down and be quiet. To cure the stubbornness of their temper, she provided a harsher remedy in the next parliament : but of that afterwards.

In the mean time I shall bring the reader to the parliament held at Edinburgh, where several petitions were exhibited in behalf of the Kirk. First : That the statutes made in the year 1584, against the liberties and discipline of the Church, might be repealed, and the discipline now practised confirmed. Secondly : That the Annexation Act should be repealed, and restitution made of the Church's patrimony. Thirdly : That the abbots, priors, and other prelates carrying the distinctions of ecclesiastics, and voting in that quality for the Church, without commission from the assemblies, might not be admitted for the future as members of parliament. And, fourthly : That an effectual remedy might be provided for purging the realm of idolatry and blood. The second and third petitions were set aside. To satisfy the last, it was enacted, that " saying of mass, receiving of Jesuits, seminary priests, and trafficking Papists against the king's majesty, and religion presently professed, should be a just cause to incur the pain and crime of treason." This statute came short of what was desired by the Kirk : for the trafficking against religion, as they call it, was not made treason unless an attempt against the prince could be made out. As to the complaint of murder, it was left to the courts of justice.

June,
A.D. 1592.
*Petitions
presented by
the Kirk to
parliament.*

Jan. 6.
parl. 12.
cap. 122.

The granting their first petition stuck for some time. The king was unwilling either to abrogate the acts of 1584, or confirm the present discipline. He was apprehensive this

nixed a much smaller penalty. But it was held by the judges in the case of Caudrey that the act did not take away the ecclesiastical jurisdiction and supremacy which had ever appertained to the crown, and by virtue of which it might erect courts with as full spiritual jurisdiction as the archbishops and bishops exercised.' "

WHIT-
GIFT,
Abp. Cant.

might prove a dangerous concession, and that the ministers would prove very troublesome under such privilege. But, on the other side, several of the nobility being disaffected to the Reformation, and suspected for a correspondence with Spain, and Bothwell having lately escaped out of custody, and forced Holyrood-house, the king thought it necessary to strengthen his interest by obliging the Kirk. And thus the statute passed by which it is enacted, “ That it shall be lawful to the Kirk and ministers, every year at least, and oftener, *pro re nata*, as occasion and necessity shall require, to hold general assemblies; with this proviso, however, that the king or his commissioners shall be present at each general assembly, and appoint the time and place for the next meeting. But in case neither his majesty nor his commissioners appear in the assembly, that then the assembly may fix these circumstances themselves. Farther, the synodical and provincial assemblies, held twice a-year, are ratified and confirmed; and so are the presbyteries and particular sessions, together with the whole jurisdiction and discipline of the Kirk agreed on by his majesty in conference with certain of the ministers.” The tenor of the articles agreed is as follows:—

The Presbyterian government and discipline settled by act of parliament.

“ Matters to be treated in Provincial Assemblies.

“ These assemblies are constituted for weighty matters, to be managed by mutual consent and assistance of brethren within the province, as need requires. This assembly has power to debate, order, and redress all things omitted or mismanaged in the particular assemblies. It has authority to depose the office-bearers in that province; and, in general, this assembly has the whole power of the particular elderships of which it consists.

“ Matters to be transacted in the Presbyteries.

“ The presbyteries have authority within their bounds to see the churches are kept in good order; to inquire into the misbehaviour of those within their precincts, and to endeavour their recovery by admonition or correction. It belongs to this eldership to take care the word of God is preached in its purity within their bounds; that the sacraments are rightly adminis-

tered, the discipline maintained, and the ecclesiastical revenues fairly distributed. It belongs to these presbyteries to execute the decrees made in the provincial and general assemblies, and to make constitutions for order and decency in the particular Kirk where they govern; provided that they alter no regulations made by provincial or general assemblies; and that they acquaint the provincial assemblies with the constitutions made by them. They have power to excommunicate the obstinate, the forms of law, with respect to time, and other circumstances, being observed.

ELIZA-
BETH.

636.

“As to particular Kirks, if they are lawfully governed by sufficient ministry and session, they have power and jurisdiction in their own congregation, in matters ecclesiastical.”

These articles, agreed by the king and the ministers, are confirmed by the statute, which declares, “and enacts, the said assemblies, presbyteries, and sessions with their jurisdiction and discipline aforesaid,” to be in all times coming, most just, good, and godly in themselves; “any statutes, canon, civil or municipal laws to the contrary notwithstanding. And all acts made in favour of the papistical Kirk, and tending to the prejudice of the liberty of the true Kirk of God, are abrogated, cased, and annulled.”

Farther, it is enacted, “That the hundred and nine-and-twentieth act of the parliament held at Edinburgh, A. D. 1584, shall be no ways prejudicial, nor derogate anything to the privilege that God has given to spiritual office-bearers in the Kirk, concerning heads of religion, matters of heresy, excommunication, collation, or deprivation of ministers, or any such essential censures, especially grounded, and having warrant by the word of God.”

James 6.
parl. 12.
cap. 116.

This act of 1584, which established the regale, is repealed in general and guarded expressions. It was thus couched, without question, to secure a reserve for the king's ecclesiastical supremacy. It is declared the act of 1584 shall be no ways prejudicial to the spiritual office-bearers in the Church; but then it is not precisely set forth what those privileges are, nor who must be judges whether they are warranted by the word of God or not.

Lastly, the statute made in the said year 1584, “granting commission to bishops, and other ecclesiastical judges, to receive his highness's presentation to benefices, to give colla-

WHIT-
GIFT,
Abp. Cant.
Ibid.

tion thereupon, and to govern in all causes ecclesiastical, is declared to be expired, and of none effect; and that, for the future, all presentations to benefices shall be directed to the respective presbyteries.

Thus episcopacy was at last abolished, and presbytery made the established religion.

*The queen's
progress to
Oxford,
Sept. 1592.*

To return to England: in September, this year, the queen made her last progress to Oxford, where she was entertained with all imaginable regard. Besides other exercises, there was a Divinity Act kept in St. Mary's: Dr. Westphaling, bishop of Hereford, determined upon the question, "An liceat in rebus divinis dissimulare?" His resolution was, that a Christian might be allowed to keep part of his belief to himself, but never to desert the truth, or profess anything contrary to it. One of the opponents argued, that since it was lawful to dispute upon religious points, it was lawful to dissemble one's opinion; and that he was now counterfeiting what he did not believe, and yet was engaged in a lawful exercise. This was looked on as an ingenious turn, and commended by the court.

The queen took her leave in a Latin speech, in which, after having expressed her esteem of the university in very obliging terms, she cautioned them against innovation in religion, and put them in mind of conformity to the laws established. Her majesty told them, she expected they should follow, and not lead the constitution; not dispute whether the laws might be mended, but keep close to what was already settled.

Wood, Hist.
et Antiquit.
Univers.
Oxon. lib. I.

The queen, in the latter end of the winter, summoned a new parliament, which began at Westminster the 19th of February, and sat till the 10th of April, when it was dissolved. The famous Coke, then solicitor-general, was chosen speaker of the house of Commons: to the customary request for liberty of speech, the lord-keeper, Puckering, returned this answer in the queen's name: he told him, "Wit and speech, two most necessary things, did most harm. As to privilege of speech," says the chancellor, "it is granted: but you must know what privilege you have; it is not a licence for every one to speak what he lists, or to throw out every fancy that comes into his brain: but your privilege is to say 'Yea,' or 'No.' Therefore, Mr. Speaker, her majesty's pleasure is, that if you perceive any idle heads that are hardy enough to run themselves

*What the
queen meant
by granting
liberty of
speech to the
Commons.*

upon danger, that will venture to meddle with reforming the Church, and transforming the commonwealth; if any such bills are offered, her majesty's pleasure is, that you should not receive them, till they are viewed by those, who it is fitter should consider such things, and can better judge of them."

ELIZABETH.

Morrice, attorney of the court of Wards, and a member of the lower house, made a speech for bringing in two bills against inquisitions in the spiritual courts, offering the oath *ex officio*, and imprisonment upon refusal to swear. Morrice's speech, though seconded by some others, was answered by Dr. Lewin, a civilian; but having had occasion to speak to this subject already, I shall wave what was objected or returned by either side. The queen, being advertised of these proceedings, sent for the speaker, and commanded him to deliver the following message to the house: "That the calling and dissolving of parliaments; that the assenting or dissenting to any bills passed there, was part of the prerogative royal; that her majesty's intention in calling this parliament, was only that God might be more religiously served; and that those who neglected his service might be forced to reformation and duty by some sharper expedients; that the lord-keeper had acquainted the lower house, that it was the queen's pleasure they should not meddle with matters of State, or causes ecclesiastical; that she wondered any could be of so high commandment," as she speaks, "to attempt a thing so expressly contrary to what she had forbidden; and that she was highly offended with this liberty. And, lastly, she charged the speaker to tell them, that it was her express command, that no bill touching matters of State, or reformation in causes ecclesiastical, be exhibited."—"And upon my allegiance (continued the speaker to the house), I am commanded, if any such bill be exhibited, not to read it." And thus the bills above-mentioned were stifled.

D'Ewes' Journal of the House of Lords, p. 460.

She commands the speaker not to read any bill relating to ecclesiastical causes.

For a farther restraint upon the Puritans, an act was made for "retaining the queen's majesty's subjects in their due obedience." The statute begins thus: "For the preventing and avoiding such great inconveniences and perils as might happen and grow by the wicked and dangerous practice of seditious sectaries and disloyal persons, it is enacted, that if any person above the age of sixteen years, shall obstinately refuse to repair to some church, chapel, or usual place of common prayer,

D'Ewes' Journal of the House of Commons, p. 478, 479.

An act against Dissenters.

WHIT-
GIFT,
Abp. Cant.

to hear Divine service, or shall forbear to do the same for the space of a month, without lawful cause, or shall at any time after forty days from the end of this session, by printing, writing, or express words, purposely practise, or go about to move or persuade any of her majesty's subjects, or any others within her highness's dominions, to deny, withstand, or impugn her majesty's power and authority in causes ecclesiastical: or to that end and purpose shall advisedly or maliciously move or persuade any other person whatsoever from coming to church, to hear Divine service, or to receive the communion according to her majesty's laws and statutes aforesaid; or to come to, or be present at any unlawful assemblies, conventicles, or meetings, under colour or pretence of any exercise of religion, contrary to her majesty's said laws and statutes; that then every such person so offending, and thereof lawfully convicted, shall be committed to prison, there to remain without bail or main-prize, till they shall conform, and yield themselves to come to some church, chapel, or usual place of common prayer, and hear Divine service, and make such open submission and declaration of their conformity, as by this act is afterwards appointed."

35 Eliz.
cap. 1.

The form of the submission was this:—

*The form of
submission.*

" I, A. B. do humbly confess and acknowledge, that I have grievously offended God in contemning her majesty's godly and lawful government and authority, by absenting myself from Church, and from hearing Divine service, contrary to the godly laws and statutes of this realm, and in using and frequenting disordered and unlawful conventicles and assemblies, under pretence and colour of exercise of religion: and I am heartily sorry for the same, and do acknowledge and testify in my conscience, that no other person hath, or ought to have, any power or authority over her majesty. And I do promise and protest, without any dissimulation, or any colour or means of any dispensation, that from henceforth I will from time to time obey and perform her majesty's laws and statutes in repairing to the church, and hearing Divine service, and do mine uttermost endeavour to maintain and defend the same."

The offenders against this statute, who refused to make this submission, were to abjure the realm, and not to return with-

out her majesty's special licence, under the penalty of suffering as felons, without benefit of the clergy. By another clause, all those who entertained or relieved such Dissenters, after notice given of their recusancy, were to forfeit ten pounds a month. But here there was an indemnifying proviso for those who relieved their near relations. It was likewise provided, that no popish recusant, or feme covert, shall be compelled to abjure by this act. And, lastly, the wife was not to lose her dower, neither was any corruption of blood to grow upon the score of any offence therein mentioned. This act, though made to continue no longer than the end of the next session of parliament, was afterwards kept in force by the two succeeding parliaments of this reign.

ELIZABETH.

This act was continued by 3 Car. 1. cap. 4.

There was another act made this session against popish recusants, by which they are confined within five miles of their respective dwellings: and, in case they travel farther than this distance, they were to forfeit all their goods and chattels, together with their lands and tenements during life: and that those who refused to conform themselves to the act, were to abjure the realm for ever, and not to return without special licence, under the penalty of suffering as felons. And if such recusants had necessary business to travel out of the compass of five miles, they were to get a licence under the hands of two justices of peace, with the assent, in writing, of the bishop of the diocese, or of the lieutenant, or some deputy-lieutenant, of the said county. Those who offended against this statute were to be discharged, provided they made a submission before conviction. The form is much the same with that enjoined the Puritans, only with this difference, that the popish recusants were to make their submission in these words: "I do acknowledge and testify in my conscience, that the bishop or see of Rome has not, nor ought to have, any power or authority over her majesty, or within any her majesty's realms or dominions."

35 Eliz. cap. 2.

By another act, all the abbey-lands which came to the possession of king Henry VIII., and all conveyances of such lands made by him to any person, are confirmed to the crown and grantees respectively. All patents likewise made by king Henry VIII., for the foundation or endowment of any dean and chapter, or college, are declared and enacted good and effectual in the law, touching every thing relating to the premises.

An act to confirm the grants of abbey-lands.

35 Eliz. cap. 3.

WHIT-
GIFT,
Abp. Cant.

Feb. 24,
1592-3.
*Several
members of
the house of
Commons
committed
by the privy-
council.*
D'Ewes'
Journal of
the House
of Com-
mons, p. 470.

Extract
from the
Convocation
Book.
Townsend's
Historical
Collections,
&c. p. 54.

Regist.
Whitgift,
pt. 2. fol. 81.
*The bishop of
St. David's
suspended by
the High
Commission.*
Ibid.
fol. 177.
638.

*Barrow and
Greenwood's
tenets.*

At the beginning of this parliament, Mr. Peter Wentworth and sir Henry Bromley delivered a petition to the lord-keeper, to desire him to move the upper house to join with the commons, in addressing the queen to entail the succession of the crown. For this motion they were commanded by her majesty to forbear coming to the house, and not to stir from their lodgings. The next day they were called before the council and committed: Wentworth was sent to the Tower, and Bromley, and Welsh, a knight for Worcestershire, were committed to the Fleet.

The convocation met on the 20th of February at St. Paul's, but, excepting the grant of two subsidies, little or nothing was done. On the 11th of April, the next day after the dissolution of the parliament, the convocation was dissolved by the queen's writ.

To proceed: that suffragan bishops were continued to this time, appears by Whitgift's Register, where one John Sterne, bachelor of divinity, is entered suffragan of Colchester; he was consecrated by the archbishop, the bishops of London, Rochester, and Bristol. Ailmer, bishop of London, presented this Sterne, and one William Fisher, clerk, to the queen; and her majesty made choice of Sterne.

This year Marmaduke Middleton, bishop of St. David's, was suspended "ab officio et exercitio ecclesiasticæ jurisdictionis," by the High Commission court.

In the year 1587, John Greenwood, clerk, and Henry Barrow, gentleman, were brought before the High Commission, for maintaining and spreading schismatical and seditious doctrine. Their most remarkable tenets were as follows: they held,

"That the Church of England was no true Church: that the worship in this communion was downright idolatry: that unsanctified persons were taken into the Church: that the conforming preachers had no lawful calling: that no bishop or preacher preaches Christ sincerely or truly: that the people of every parish ought to choose their bishop: and that every elder, though neither doctor or pastor, is a bishop. That all of the preciser Nonconformists, who refused the ceremonies of the Church, strain at a gnat, and swallow a camel: and are no better than closer hypocrites; such as Cartwright, Wigginton, &c. That all those who make or expound any printed or written Catechisms, are idle shepherds: as Calvin, Ursin,

Nowel, &c. That the children of usurers, drunkards, and such ungodly parents, ought not to be baptized. And, lastly, that praying by a form is blasphemous.” ELIZABETH.

Being committed for these scandalous doctrines, they promised to recant, and were enlarged upon giving bond. But it was not long before they made an ill use of their liberty, broke out into farther excesses, and perverted more proselytes. Their principal followers were Saxio Billet, gentleman; Daniel Studley, girdler; and Robert Bowler, fishmonger. These, with Barrow and Greenwood, were committed to the Fleet in the year 1588. During their confinement Cartwright had a conference with them. For Barrow, it seems, had declared that he had neither writ, nor done any thing, but what he could justify by Cartwright's principles. What the result of this conference was is not known: but when archbishop Whitgift, and Dr. Ravis, his chaplain, desired Cartwright to engage in a second conference, he would by no means agree to it: upon which Barrow fell into a strain of expostulation, and complained of his being deserted: that he had taken his grounds from Cartwright: and that those tenets which brought him to prison, were nothing but conclusions drawn from Cartwright's premises.

Barrow, Greenwood, and the three others above-mentioned, were indicted at the Old Bailey, for writing and publishing several seditious books, tending to the slander of the queen and state. The indictment was grounded upon the 23 Eliz. cap. 1. They were all brought in guilty, and had judgment to suffer as felons.

Before the execution, Dr. Andrews, afterwards bishop of Ely; Dr. Parry, afterwards bishop of Worcester; Dr. Bisse, archdeacon of Taunton, and Dr. White, residentiary of St. Paul's, were sent to Barrow, to exhort him to a recantation. After they had discoursed with him some time, he told them, “they were not the men he most disliked in the present differences. For though,” says he, “you are mistaken, yet you think yourselves in the right, and walk up to that light God has given you. But I cannot but complain of Mr. Cartwright and his brethren, by whose books we have been taught your calling is antichristian.” Upon this Dr. White told him, “That those callings which he reproached as antichristian, had been approved by archbishop Cranmer, bishop Ridley, and several others of eminent piety, who were martyrs for their religion in

March 21,
A.D. 1592-3.

WHIT-
GIFT,
Abp. Cant.

Heylin,
Hist. Pres.
lib. 9.

*They are
executed.*

A. D. 1593.
*Penry, a
noncon-
formist
minister,
indicted for
seditious
writings.*

*The matter
charged
against him
in the first
indictment.*

queen Mary's reign." Barrow replied, "Most true it is, that they and others were martyrs in queen Mary's days: but these holy bands of mine," says he, shaking his fetters, "are much more glorious than any of theirs; because they had the mark of antichrist in their hands." In short, these learned men were not so successful as to make an impression upon the prisoners, or to recover them from their heterodoxies. On the last of March, Barrow and Greenwood were brought to Tyburn in a cart, and carried back to Newgate; but proving incorrigible, both under menacing and mercy, they were executed on the 6th of April following. The other three were reprieved, being looked on as criminals of a more pardonable guilt.

About this time, John Penry, a nonconformist minister, was indicted for publishing scandalous writings against the orders of the Church, and against the queen. To describe the temper of this man, and his dangerous tenets, I shall give the reader part of the two indictments found against him. The first indictment sets forth, That "Quidam J. P. nuper de London clericus, Deum præ oculis suis non habens, &c. apud Edinburgh. infra regnum Scotiæ, advisate et cum malitiosa intentione contra dominam reginam, et felonice ut felo dictæ dominæ reginæ devisavit, et scripsit quasdam falsas, seditiosas, et scandalosas materias in defamationem dictæ dominæ reginæ nunc, et ad instigationem, suscitationem, et motionem rebellionis et insurrectionis infra hoc regnum Angliæ in his Anglicanis verbis sequentibus inter alia, viz. The last days of your reign (regnum dictæ dominæ innuendo) are turned rather against Christ Jesus and his Gospel, than to the maintenance of the same; and I have great cause of complaint, madam, (dictam dominam reginam innuendo), nay, the Lord and his Church hath cause to complain of your government (gubernationem dictæ dominæ reginæ innuendo), not so much for any outward injury, as I, or any other of your subjects have received, as because we your subjects this day are not permitted to serve God under your government (gubernationem dictæ dominæ reginæ innuendo), according to his word, but are sold to be bond-slaves, not only to our affections, to do what we will, so that we keep ourselves within the compass of established civil laws (leges dictæ dominæ reginæ innuendo), but also to be servants to the man of sin, and his ordinances. And it is not the force which we seem to fear, that will come

upon us, for the Lord may destroy both you (*dictam dominam reginam innuendo*) for denying, and us for slack seeking of his will, by strangers; I come unto you with it, if you will hear it, that our ease may be eased; if not, that yet posterity may know that you have been dealt with¹, and that this age may see that there is no great expectation to be looked for at your hands. (*manus dietæ dominæ reginæ innuendo.*) And, amongst the rest of the princes under the Gospel, that have been drawn to oppose themselves against the Gospel, you (*dictam dominam reginam innuendo*) must think yourself to be one, for until you see this, madam (*dictam dominam reginam innuendo*), you see not yourself, and they are but sycophants and flatterers whosoever tell you otherwise. Your standing is and hath been by the Gospel, it is little or smally beholden unto you, for any thing that appeareth the practice of your government (*gubernationem dietæ dominæ reginæ innuendo*) sheweth, that, if you could have ruled without the Gospel, it would have been to be feared whether the Gospel should be established or not; for, now that you are established on your throne, and that by the Gospel, you (*dictam dominam reginam innuendo*) have suffered the Gospel to reach no farther than the end of your sceptre, (*sceptrum dietæ dominæ reginæ innuendo*) limited unto it; and briefly, madam, you (*dictam dominam reginam innuendo*) may well see the foundation of England rooted up, but this cause (*causam dieti J. P. et aliorum schismaticorum et sectariorum infra hoc regnum Angliæ innuendo*) will you never see suppressed; and now whereas we should have your help, (*auxilium dietæ dominæ reginæ innuendo*) both to join ourselves to the true Church, and to reject the false, and all the ordinances thereof, we are in your kingdom (*regnum dietæ dominæ reginæ innuendo*) permitted to do neither, but accounted seditious men, if we affirm either one or the other of the former points. And therefore, madam, you (*dictam dominam reginam innuendo*) are not so much an adversary to us poor men, as unto Christ Jesus, and the wealth of his kingdom; and but, madam, (*dictam dominam reginam innuendo*) yet thus much we must needs say, that in all likelihood, if the days of your sister, queen Mary, and her persecution, had continued to this day, this Church of God in England had been

639.

¹ "Dealt with," here signifies reprimanded. The Quakers of the present day use the phrase in the same sense.

WHIT-
GIFT,
Abp. Cant.

Coke's
Entries,
fol. 352.

far more flourishing than at this day it is. And now, madam, (*dictam dominam reginam innuendo*) your majesty may consider what good the Church of God hath gotten at your hands, (*manus dictæ dominæ reginæ innuendo*) even outward peace, with the absence of Christ Jesus, and his ordinances, otherwise as great troubles likely to come as ever were in the days of your sister."

The second indictment sets forth, that the same "J. P. nuper de London, clericus, primo die Martii, anno regni dominæ Elizabeth, Dei gratia, tricesimo tertio extra hoc regnum Angliæ, et extra dominationem dictæ dominæ reginæ, viz., apud Edinborough infra regnum Scotiæ advisate et cum maligna intentione devisavit, et scripsit, quasdam falsas, seditiosas et scandalosas materias in defamationem dictæ dominæ reginæ, et ad suscitationem et motionem rebellionis, &c., in his Anglicanis verbis sequent. inter alia, videlicet, What has England answered? Surely with an impudent forehead she hath said, 'I will not come near the Holy One; and as for the building of his house, I will not so much as lift up a finger towards that work,—nay, I will continue the desolations thereof. And if any man speaketh a word in behalf of this house, or bewaileth the misery of it, I will account him an enemy to my State. As for the Gospel, and ministry of it, I have already received all the Gospels, and all the ministries that I mean to receive. I have received a reading Gospel, and a reading ministry; a pompous Gospel, and a pompous ministry; a Gospel and a ministry that strengtheneth the hands of the wicked in his iniquity; a Gospel and a ministry that will stoop to me, and be at my beck, either to speak or to be mute, when I shall think good. Briefly, I have received a Gospel and ministry that will never trouble my conscience with the sight of my sins, which is all the Gospels and all the ministries that I mean to receive. And I will make a sure hand that the Lord's house, if I can choose, shall be no otherwise edified than by the hands of such men as bring unto me the aforesaid Gospel and the aforesaid ministry. And as for the general State, either of the magistracy, of the ministry, or of the common people, (*magistrat. ministros, et populum hujus regni Angliæ innuendo*) behold, nothing else but a multitude of conspirators against God, against the truth, against the building of his house, against his saints and children, and consequently against the wealth of their own souls, and public

peace and tranquillity of this whole kingdom. And you shall find amongst this crew (*innuendo* *archiepiscopos, episcopos, et ministros ecclesiæ hujus regni Angliæ per auctoritatem regiam, et leges et statuta ejusdem regni, infra hoc regnum manutent.*) nothing else but a troop of bloody soul-murderers, sacrilegious Church-robbers, and such as made themselves fat with the blood of men's souls, and the utter ruin of the Church; and it is now grown, and hath been of long time a common practice of these godless men, (*magistrat. et judices infra hoc regnum Angliæ, per dictam dominam reginam assignat. et manutent. innuendo*) to make of the statutes ordained for the maintenance of religion, and common quietness, a pit wherein to catch the peaceable of the land (*hoc regnum Angliæ innuendo*). And because our council (*concilium privat. dictæ dominæ reginæ innuendo*) may be truly said to delight in this injury and violent oppression of God's saints and ministers; therefore, whensoever the Lord shall come to search for the sins of England with lights, as Zephaniah saith, he will surely visit our council (*dictum concilium dictæ dominæ reginæ innuendo*) with a heavy plague, because they are undoubtedly frozen in their dregs, and persuade their own hearts that the Lord will do neither good nor evil in the defence of his messengers and children; and then they shall feel what it is to wink at (much more to procure) the oppression of the Church of Christ. I (*dictum J. P. innuendo*) will not in this place charge our council (*dictum concilium dictæ dominæ reginæ innuendo*) with that which followeth in Jeremy, upon the place before alleged, namely, that they execute no judgment,—no, not the judgment of the fatherless; but this I will say, that they cannot possibly deal truly in the matter of justice between man and man, inso-much as they bend all their forces to bereave Christ Jesus of that right which he hath in the government of the Church; the which ungodly and wicked course as they (*dictum consilium dictæ dominæ reginæ innuendo*) have held on ever since the beginning of her majesty's reign, (*regimen dictæ dominæ reginæ innuendo*) so at this day they have taken greater boldness, and grown more rebellious against the Lord and his cause, than ever they were.' *Ad magnum scandalum et defamationem dictæ dominæ reginæ, subversionem legum hujus regni Angliæ, &c.*"

ELIZA-
BETH.

Coke's
Entries,
ibid.
35 Eliz.
Rot. 3. inter
Placita Co-
ronæ in
Banco
Regis.

By the heat of this expostulation, the reader may judge of

WHIT-
GIFT,
Abp. Cant.
*Penry's cha-
racter and
manage-
ment.*
640.

Bancroft's
Dangerous
Positions,
book 4.
chap. 10.

In Crastino
Ascensionis.
Stow's
Annals.

May 29,
1593.
*A posthu-
mous pam-
phlet of
Penry's
published.*

what spirit Penry was. He had lain at Edinburgh for some time, as the indictment sets forth. His business, without question, was to solicit for the cause, and make an interest with the Kirk. From hence he played his libels into England upon the Church and State. He is very intemperate in his remonstrance; takes the utmost liberties of satire; arraigns the administration; and endeavours to bring an odium upon the queen and bishops. He stayed at Edinburgh till Hacket's plot was concerted, and began to come forward. And when the juncture appeared somewhat promising, he told Arthington in a letter, that "Reformation must shortly be erected in England." Upon this prospect he came for England; and upon the miscarriage of Hacket's business retired into Scotland, as has been already observed. About the beginning of the last sessions he ventured to make another journey to London; and notwithstanding his endeavour to pass *incognito*, he was discovered by the vicar of Stepney, committed, and tried at the King's-bench bar. The indictment was grounded upon the 23rd Eliz. cap. 1.

He was found guilty, and, not long after, executed at St. Thomas Watrings. Care was taken that the mob might not have notice of the time when he suffered, for fear some tumult might have happened. This Penry had a bold and buffooning manner of writing. He had a principal share in those scurrilous pamphlets which went under the title of "Martin Mar-Prelate," as has been already related. Soon after his execution, another seditious pamphlet of his writing was published; it is entitled, "The History of Corah, Dathan, and Abiram, applied to the Prelacy and Ministry of the Church of England: by Mr. John Penry, a Martyr of Jesus Christ." The publisher, to raise the author's character, and give force to the performance, informs the reader, in his preface, that "Mr. John Penry was a godly man: learned, zealous, and of a most Christian carriage and courage; that he was born and bred in the mountains of Wales, and with all godly care and labour endeavoured to have the Gospel preached among his countrymen, whose case he greatly seemed to pity, wanting all the ordinary means for their salvation. That being used by God for a special instrument in the manifestation of his truth, he was hardly intreated, imprisoned, condemned, and executed, and so suffered martyrdom for the name of Christ; and more particularly, that he

was adjudged at the King's-bench by Sir John Popham, lord chief justice, and the rest of the judges then assembled, on the 25th of the fifth month, and executed on the 29th of the same. That he was not brought to execution the next, second, or third day, as most men expected; but that when men did least look for it, he was taken while he was at dinner, and hastily bereaved of his life, without being suffered (though he much desired) to make a declaration of his faith towards God, or his allegiance to the queen."

ELIZABETH.

And in his postscript to the preface, he concludes thus:—"That Penry was apprehended, adjudged, and executed for the truth of Christ, whatsoever other things were pretended against him¹."

The pressing the law thus close struck a terror into the party, and made the Dissenters of all sorts less enterprising against the government. And now Cartwright, either out of caution or conviction, began to relax a little, and give way to prudential considerations. Archbishop Whitgift being informed this Nonconformist was coming about, resolved to encourage his disposition. To this purpose he solicited the queen in his behalf, procured him his liberty, and her majesty's pardon. The archbishop likewise gave him leave to settle at Warwick, where he was master of the hospital founded by the earl of Leicester. Here he had the liberty of preaching, upon condition that he should neither write, preach, nor act, against the constitution of the Church of England. Cartwright answered the terms, and kept within the bounds prescribed. However, the queen was not pleased with his being so much considered, and thought the archbishop had gone too far in his good nature. But Whitgift conceived Cartwright might deserve more indulgence than Travers, though both of them were ordained in a foreign communion. For Travers had never any other orders but those received from the presbyters at Antwerp; but Cartwright had a much better conveyance of his character, and was canonically ordained in the Church of England. To give him his due, he was not ungrateful for the favours received; for, from this time onwards, he treated the archbishop with a suitable regard, and continued quiet and inoffensive to his death, which happened about ten years after.

Cartwright relents, and is enlarged by the archbishop's interest.

Fuller's Ch. Hist. book 9.

¹ If Penry and the Puritans had proceeded by constitutional petitions, they would have succeeded better. By attempting to take the law into their own hands, they stirred up tremendous re-actions, which at length overturned the whole system of society.

WHIT-
GIFT,
Abp. Cant.
*A general
assembly at
Dundee.*

In the latter end of April, this year, there was an assembly held at Dundee in Scotland. To prevent the encroachment of the Kirk upon the prerogative, sir James Melvil was sent to signify the king's pleasure. His instructions were digested under several articles.

*Several
things re-
quired of the
Kirk by the
king.*

First. The king let them know he would not suffer the diminution of his honour; and expected they should be less arbitrary in appointing the place and time for their assemblies. Before they broke up, therefore, he commanded them to send two or three of their members to court, to receive his orders when and where they were to meet next.

Secondly. They were required to make a decree to check the confidence and indiscretion of the ministers, and forbid them declaiming in the pulpit against the proceedings of his majesty and council; and that deprivation might be the penalty of such misbehaviour.

Thirdly. That since Mr. Craig was worn out with age, his majesty desired the assembly to nominate five or six ministers, that he might choose two of them to officiate in his family.

Fourthly. That every presbytery should be ordered to advertise his majesty of the practices of the Papists, and those who abetted or entertained Bothwell.

Spotswood,
book 6.

And fifthly. That they should appoint some of their number to cause the magistrates in seaport towns to examine those who embarked or came ashore, and send up their names to court; that by such strict inquiries the attempts upon the established religion might be the better discovered.

To the two first complaining articles, the assembly returned a general, not to say an evasive answer. As to their meetings, they sent the king word they should govern themselves by the act of parliament made last year. And for satisfaction to the second article, they made an act couched in these loose and ambiguous terms: that is, they "prohibited all ministers to utter in pulpit any rash or irreverent speeches against his majesty, or council, or their proceedings; but to give their admonitions upon just and necessary causes, with all fear, love, and reverence." The king looked upon this as a trifling restraint, as a reserve for intemperate liberty, and no better than downright collusion. And being thus disappointed, he took little notice of the Kirk's address against conveying the tithes to the laity, and erecting them, as they speak, into temporalities.

At this assembly an ordinance was made, that none of the Kirk of Scotland should travel into any part of the king of Spain's dominions for the business of commerce. The reason was, because the merchants might be called in question by the Inquisition, and menaced out of their religion. Therefore, unless the king of Spain could be prevailed with not to molest the reformed, in their persons or effects, upon the score of their belief, they forbade going into his territories, under pain of excommunication.

ELIZABETH.
The assembly prohibits commerce with Spain.

The merchants, shocked at this decree, petitioned the king and council for liberty of trade, and succeeded. But the government, it seems, was no sufficient shelter: for the ministers went on with their censures with so much vigour, that the merchants were glad to resign and compound the matter. In short, they promised to break off their commerce with Spain, as soon as their accounts could be settled, and their effects withdrawn.

The next advance in discipline was to put down the Monday-market in Edinburgh. They prevailed so far as to get their act seconded by the magistracy and common council. But this reformation was strongly disliked by the shoemakers. These tradesmen, coming in a body to the ministers' houses, threatened to drive them out of town, if they pressed that matter any farther. This ruffle made an impression; and the Kirk, flagging in their resolution, let the market continue as before. Their acquiescence made a jest at court, where it was said, "that rascals and souters could obtain at the ministers' hands what the king could not, in matters more reasonable."

They endeavour to alter the market-day of Edinburgh, but without success.

Idem.

Some Roman Catholic lords having taken arms upon pretence of getting grievances redressed, they were summoned to appear before the last parliament. But the summons not being drawn in form of law, the estates referred the prosecution to the king and council. This was resented by the Kirk, and interpreted to favour and partiality. The ministers of the synod of Fife, therefore, meeting at St. Andrew's, excommunicated the earls of Angus, Huntley, and Errol, the lord Home, and sir James Chisholm. They likewise sent letters to all the presbyteries, to publish their censure in the churches; and, for a supplemental provision, they required the ministers of Edinburgh to meet some of the well-affected barons, to consult and take

Oct. 1593.
The Kirk excommunicates the Roman Catholic lords.

WHIT-
GIFT,
Abp. Cant.

proper measures for the defence of religion, and putting a stop to counter designs. The king sent for Mr. Robert Bruce, a minister of character, and ordered him to stop the publication of the synod's censure. His majesty told him the sentence was neither just in the ground nor legal in the form: that none of these persons were within the jurisdiction of the synod of Fife, nor so much as cited to answer the articles objected; and that, if the Kirk was thus arbitrary in their discipline, it might prove of ill consequence to the subject. Bruce replied, "it was not in his power to stop the publication or supersede the resolution of the brethren; that the ministers of Fife had particular reasons for their proceedings, and were to account for what they did to the general assembly." The king told him, with somewhat of resentment, "that, since he found the discipline abused, and that no redress was to be expected from the Kirk, he would provide a remedy himself."

*They refuse
to stop the
censure at
the king's
instance.*

Idem.

Oct. 17.

The publication of the censure went on, notwithstanding, and a considerable number of ministers and barons met at Edinburgh. The king was then upon his progress to Jedburgh, for quieting some disturbances in the borders. The earls of Angus, Huntley, and Errol, met his majesty on the way at Falaw, begged they might be brought to their trial, and referred the time and place to his majesty's pleasure. Upon this, by the advice of the council, they were ordered to go to Perth, and stay there till the prosecution was ready.

*The Kirk
petitions the
king touching
this matter.*

When this was known, the assembly sent commissioners to the king, to desire the trial of these popish lords might be put off to a longer time; that, by this means, the professors of religion, who intend to bring in a charge of treason against them, may have time to examine the business, and resolve upon a proper expedient.

Secondly. That, according to the customary proceedings in such cases, those excommunicated and treasonable apostates, as the Kirk expresses themselves, may be committed to safe custody, in Edinburgh, Dundee, and Stirling, till the estates shall have settled the circumstances of the trial.

Thirdly. That the jury may not be nominated at the suggestion of the prisoners, but by the prosecutors, professors of the Gospel.

Fourthly. That the criminals above-mentioned, being excommunicated by the Church and cut off from the society

of Christ's body, may not be admitted to their trial, or have the benefit of law, till they are reconciled to the Church.

ELIZA-
BETH.

Fifthly. If his majesty is unalterably resolved not to change the time or place of their trial, they then desire that such as profess religion may be admitted for a guard to his majesty, to defend his person from violence, and to prosecute the criminals to the utmost: which they are fully determined to do, though at the hazard of all their lives.

The king, at the reading the title of the address, was somewhat displeased. He told them, that, since the assembly had met without his consent, he would not own them in the quality of commissioners. But, notwithstanding he refused to treat them under that character, he condescended to hear them as subjects. And, to give satisfaction, he acquainted them, that the time and place for the trial of these lords was assigned by the advice of the council; that, upon farther considering the matter, he found the time too short, and the town of Perth not so convenient, and therefore had appointed a meeting of the states at Linlithgow, by whose advice he should govern this affair; that, since these noblemen were brought to their trial at the request of the ministers, he was somewhat surprised they should now address him for delaying it; and, lastly, he assured them care would be taken that the judges and jury should be persons unbiassed, and well affected to religion.

The commissioners reported the king's answer to their principals. The assembly, being displeased, made a resolve to prosecute the lords, and to appear in arms at the place assigned for the trial. To this purpose, some of the members stayed at Edinburgh to give notice to the rest. The king, being informed of this resolution, sent for the ministers that were in town, and put them in mind how grossly they had failed in their duty, by presuming to draw the subjects together in arms without his authority, and charged them not to execute anything of that kind. To this they returned a canting, rebellious answer, in these words: "That it was the cause of God, and in defence thereof they could not be deficient." Upon this the king issued out a proclamation, to forbid all persons meeting in arms¹.

*They order
the subjects
to meet, and
appear in
arms.*

642.

¹ King James had taken a leaf out of Elizabeth's book, and endeavoured with much skill and courage to check the disloyal turbulence of the Presbyterians; but they were too desperate to listen to reason, and nothing but bloody revolutions would satisfy them.

WHIT-
GIFT,
Abp. Cant.

*And refuse
to obey the
king's pro-
clamation.*

Notwithstanding this proclamation, great numbers came to Edinburgh, where the estates were convened, and the people began to rise in all other parts of the country. The trial of the popish lords was referred to a committee of the estates, who had likewise an authority to conclude upon an expedient for the preservation of religion, and quieting the disorders in the kingdom; and their decision was to have the same force as if it had been made by the parliament. Several of the ministers likewise had the liberty to sit with the committee if they pleased: but then their business was only, as far as it appears, to suggest and argue, but not to vote with the rest. The committee, after a long debate, agreed upon several heads. I shall mention only some of them:—

*Articles
agreed on
by the com-
mittee of the
estates at
Edinburgh,
with respect
to the Roman
Catholics.*

First. That such as have not yet professed the reformed religion, or deserted it, should conform before the 1st of February next, give satisfaction, and submit to the orders appointed them by the king and the Church. And, in case they pretended scruple of conscience, they should quit the realm, and transport themselves to such countries as his majesty should appoint, and not return home till they resolved to turn Protestants, and satisfy the Church; and that, during their banishment, themselves and their heirs should enjoy their estates, and have the liberty of constituting proxies or attorneys, to defend their right, and appear for them in courts of justice.

That the earls above-mentioned, and others of that persuasion, should neither dispute, nor allow any disputing, at their tables against the reformed religion; that they should entertain a minister in their houses, admit of conferences for disentangling them from their errors, and that they may be the better prepared to subscribe the confession of faith.

That such of them as make it their choice to depart the country, rather than conform to the religion established, shall give security to forbear entering into any concert with Jesuits and others against religion and the state; and that they should keep no such correspondence before they embark.

And, lastly, that in the mean time the Church shall convent all suspected persons before them, and demand satisfaction; and, in case they prove obstinate, delate their names to the king and council; and that masters and landlords shall be obliged to answer for persons under their charge and jurisdiction.

To return to England, where the next thing that occurs is, the death of John Ailmer, bishop of London. He died in the seventy-third year of his age, and was buried at St. Paul's. He was descended from an ancient and considerable family of the Ailmers, of Ailmer-hall, in Norfolk. They pretend to a Saxon original, and claim a relation to the Ailmers, earls of Devonshire and Cornwall, before the Conquest. A younger branch of the family transported themselves into Ireland, where they intermarried with the Fitzgeralds; and one of them was lord chief justice of the King's Bench in the reign of king Henry VIII. As to the bishop, he was a person of learning and resolution, governed with vigour, and was strict in requiring conformity. Part of his character, which has been touched already, is comprehended in these two verses upon his monument:—

ELIZABETH.

June 3,
1594.
Bishop
Ailmer's
death.

Life of
Bishop
Ailmer.

*“ Ter senos annos præsul; semel exul, et idem
Bis pugil in causa religionis erat.”*

He was succeeded by Richard Fletcher, bishop of Worcester. The latter end of August, this year, prince Henry, the king of Scots' eldest son, was baptized with great solemnity. The sacrament was administered by Cunningham, bishop of Aberdeen.

This summer, William Reynolds, an eminent Roman Catholic divine, departed this life. He was extracted from a wealthy family at Pinhoe, in Devonshire. His uncle, Jerome Reynolds, doctor in divinity, took some care of his education at first. He was afterwards sent to Winchester-school, from thence to New-college, in Oxford, where he appeared a promising genius, and made a considerable proficiency in most parts of learning. He went in with the Reformation at first, and continued in our communion several years; but, it seems, bishop Jewel's works, which fixed a great many other people, unsettled Reynolds. He fancied this prelate did not manage the argument fairly, and that his reasonings were loose and inconclusive. He went to Rome upon this dissatisfaction, and reconciled himself to that Church; and, having travelled through the greatest parts of Italy and France, he settled at Rheims, where cardinal Allen gave him a friendly entertainment, and made him divinity and Hebrew professor in the English college. He over-fatigued himself with study, which occasioned the break-

William
Reynolds,
his death
and cha-
racter.

WHIT-
GIFT,
Abp. Cant.

ing a vein, and hastened his end. Pitts reports him a poet, an orator, an historian; that he had skill in music and mathematics; that he was a philosopher, a linguist, and an eminent divine. To mention some of his works: he addressed a tract upon the holy eucharist to the king of Scots, against one Bruce, a Scotch minister. He wrote another discourse in defence of the Rhemish translation of the New Testament, against Dr. Whittaker, divinity professor at Cambridge; and, at the instance of the heads of the Holy League in France, he published an ill discourse to justify the arms of the Leaguers against the government. And, to mention only one more, he wrote a book by way of dialogue, entitled "Calvino Turcismus." This book, though left imperfect at his death, was afterwards finished and printed by his friend, William Gifford, who dedicated it to Albert, archduke of Austria.

Pitts de
Illust. Angl.
Scriptor.
Cardinal
Allen, his
death, &c.

His patron, cardinal Allen, died about two months after. He was descended from a gentleman's family in Lancashire, bred in Oxford, and was principal of St. Mary's-hall. When the Reformation came on, he retired to Douay, in Flanders, where he studied divinity, and was made professor in that faculty. This Allen was the first who drew the English refugees together, and formed them into an academical society at Douay and Rheims. Here their capacities were examined, their business prescribed, and their posts assigned them. Some of them engaged the Protestants in print, and spent their time in controversial divinity; others collected memoirs upon the persecution of their friends in England, and digested the accounts they received into a kind of martyrology. Allen had a considerable share in maintaining the doctrine of his Church. He wrote several tracts, too long to mention. It must be granted, his merits, with respect to his own communion, ran high, for which he was created a cardinal by Sextus Quintus. His death was much regretted by the Roman Catholics: for, besides the services of his pen, he kept the English Papists from breaking out into misunderstandings, and made up the differences between the secular priests and Jesuits.

643.

Idem.

A misunder-
standing be-
tween the
seculars and
Jesuits in
Wisbeach-
castle.

But this accommodation was of but short continuance; for after Allen's death, the priests and religious confined in Wisbeach-castle came to an open rupture. The occasion was this: one father Weston, *alias* Edmunds, a Jesuit, pretended to make orders, and set up for governor over all the rest, and to

conceal his ambition, he gave out this authority was forced upon him by Henry Garnett, the English provincial. But those of his own society who resigned to his pretensions were misled, as some say, by the counterfeit sanctity of the Jesuits, by large shares in the division of the contributions, and by promise of preferment in case of success.

ELIZABETH.

The majority of the seculars refused to come under Weston's command; they alleged this post had been offered to Watson, bishop of Lincoln, who died prisoner in the castle; that this prelate refused this governing distinction, as unsuitable to their present circumstances; that affliction and confinement were great levellers, and ought to put a stop to projects of dominion; and that, if any order could pretend to preference and jurisdiction, the Benedictines had the best claim: for these religious had been settled in England near a thousand years.

Declaratio
Motuum
et Perturba-
tionum, &c.
ad Clem.
Octav. ex-
hibita.

Idem.

Weston, to cover his encroachment, took a modest title, and only styled himself agent for the prisoners. It was thought his forwardness was underhand encouraged by the Jesuits, both in England and elsewhere. The bottom of the business was probably to try the temper of the secular priests; and if they had proved tame and passive under Weston's pretensions, they might have made a precedent of it; and Garnett, the provincial, it is likely, would have stretched his authority over all the English seculars.

About this time, a Roman Catholic priest of character came to Wisbeach; he had been very serviceable to the prisoners in collecting and conveying contributions. And thus being a friend to both parties, they agreed to refer the difference to his arbitration. He gives the cause against the Jesuits, and orders Weston to desist from his claim of superiority. The Jesuits, notwithstanding they had referred the controversy to him, ridiculed his award, and refused to stand by it.

Soon after they came to another compromise, and two priests, by the consent of both parties, were sent for to put an end to this dispute. These referees declared Weston's agency would create misunderstandings too mischievous in the consequence, and therefore ought to be given up; and Weston once more refusing to abide by the reference, an order was with some difficulty procured from the provincial Garnett to command him to lay down his claim. But this accommodation amounted to

Weston
obliged by
his pro-
vincial to
lay down his
claim.
Id. p. 20.

WHIT-
GIFT,
Abp. Cant.

no more than a truce ; for the contest between the two orders broke out again not long after.

The Puritans having miscarried in their open attacks upon the Church, endeavoured to carry on their designs more under covert. Their magnifying the Sabbath-day, as they call Sunday, was a serviceable expedient for this purpose. Preaching the strict observance of this festival had a strong colour of zeal, and gained them the character of persons particularly concerned for the honour of God Almighty. To what degrees of rigour this doctrine was strained, the reader may see by some of the assertions in Dr. Bound's book of the Sabbath, printed this year. This divine maintains :—

*Bound's
doctrine con-
cerning the
observation
of the Sab-
bath.*

First. That the command of sanctifying every seventh day, in the Mosaic Decalogue, is moral and perpetual.

Secondly. That whereas all other parts in the Jewish economy were to cease under Christianity, this of the Sabbath was only to change the day, but to remain unaltered in other circumstances.

Thirdly. That the rest upon this day must be particular and distinguished, and quite different from the customary usage. He defines the manner of this rest by affirming,

*Bound's
Book of the
Sabbath.*

Fourthly, That scholars must not study the creditable sciences, nor lawyers entertain clients, nor peruse evidences ; serjeants, apparators, and summoners, must be prohibited executing their respective offices ; justices of peace are not to take examinations, nor act upon that day. To ring more bells than one is pronounced unlawful. No public entertainments or wedding-dinners are to be made. Under this instance of restraint, there was an odd reserve of liberty for lords, knights, and gentlemen of fashion ; but which way this ceremony could consist with Bound's principles, is difficult to imagine. And, lastly, all diversions lawful upon other days were to be forborne ; and no person was to discourse of recreations, news, or business.

This doctrine being singular in strictness, and those who recommended it persons of unexceptionable behaviour, grew very popular, and great numbers were proselyted to it. The learned, notwithstanding, were divided in their opinion. Some looked on this doctrine as agreeable to the Holy Scriptures, and a seasonable revival of ancient truth. Others believed Bound built upon a weak foundation ; and that though his in-

ferences might be right, his principles were wrong. However, since they tended to the advancement of piety, they thought it more serviceable to let the mistake pass upon the people. Others looked farther, and censured these assertions as a restraint of Christian liberty, and throwing us back to the Mosaic dispensation. Besides, it was reasonably suspected Bound could have no friendly design in this performance: it is plain he struck at ancient usage and the authority of the Church; and that by appearing so strongly for the strict observance of the Lord's-day, his intention was to put down the other festivals; that he wrote upon this view is pretty evident by his affirming, "That he sees not where the Lord has given any authority to his Church ordinarily and perpetually to sanctify any day, excepting that which he hath sanctified himself." And, farther, he urges it as a proof of degeneracy and innovation in the Church of Rome, that they had raised several days to an equality of regard with the seventh; that their religious offices were as solemn, and their prohibitions of working as peremptory, for holidays as Sundays. Besides, the Dissenters might have a farther reach in pressing these Sabbatarian rigours; and by gaining the people to this new doctrine, they might improve their interest and recover some part of the ground they lost in the miscarriage of their discipline. It seems some of the party ran the doctrine to a scandalous extremity, and delivered frightful paradoxes in the pulpit. They were so hardy as to say, "That to do any servile work or business on the Lord's-day, was as great a sin as to kill a man or commit adultery. In Somersetshire, that to throw a bowl on the Lord's-day was as great a sin as to kill a man. In Norfolk, that to make a feast, or dress a wedding-dinner on the same, was as great a sin as for a father to take a knife and cut his child's throat. And, in Suffolk, that to ring more bells than one on the Lord's-day, was as great a sin as to commit a murder."

ELIZABETH.

Several extravagant assertions of the Sabbatarians.

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Upon these excesses a complaint was preferred against some of the preachers, and their books ordered to be delivered to the bishops and magistracy by Whitgift and the chief justice Popham. But notwithstanding this care in the government, the doctrine spread, and caught upon the people. The Non-conformists were not wanting in their endeavours: for in most of their books they made it their business to reinforce

Heylin,
Hist. of
Presbyt.
lib. 10.

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GIFT,
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the subject, and press the practice. Thomas Rogers, a clergyman of character, observes, that what the brethren wanted in strength and learning, they supplied in conduct and art; that when they found their presbyteries not defensible against the attacks of the Church, they quitted their old works, and raised new ones; and that from hence they played their artillery with no small advantage. "It is a comfort to my soul," says this divine, "and will be to my dying hour, that I have been the man and the means that the Sabbatarian errors are brought into light and knowledge of the state," &c.

Rogers' Pre-
face to the
Book of
Articles.

*A contest at
Cambridge
concerning
the five
points.*

To proceed: for some time past there had been a warm dispute among the reformed in England about predestination, free-will, the force of Divine assistance, perseverance, and the extent of redemption. The Puritans held the Calvinian side, and here it must be confessed they were abetted by no small numbers of the conforming clergy. The Arminian tenets, as they were afterwards called, were looked on as bordering upon Popery, which made some people start at them. Thus Travers, in his complaint to the council against Hooker, suggests this article among the rest: "That he had taught another doctrine of predestination than what was laid down in the word of God, as it was understood by all the Churches which professed the Gospel." Calvin's scheme of predestination was fortified by "Perkins' Golden Chain," published about four years since. But that which brought it the nearest to a public establishment, was the countenance of the Lambeth articles. This doctrine, handed from Geneva by the English refugees, and propagated by Cartwright in the Margaret professor's chair, had gained great footing in Cambridge, especially amongst the heads; insomuch that those who held the other side of the question were little better than novelists. Dr. Whitaker, the queen's professor, fell in with Perkins. This party having stated the controversy to their own liking, and drawn the articles into form, laid them before archbishop Whitgift; but then they had taken care to prepossess him with an ill opinion of those who differed from them; that they had behaved themselves mutinously, and disturbed the harmony of the university. Dr. Whitaker, and some other eminent predestinarians, were dispatched to London on this message. The archbishop having a great value for Whitaker upon the score of his performance against Bellarmine, and being willing to put an

end to the differences amongst the students, entered upon a farther debate of the question. To this purpose, he sent for Dr. Fletcher, elect of London; Dr. Richard Vaughan, elect of Bangor; Dr. Trindall, dean of Ely; Dr. Whitaker, and the rest of the divines who came from Cambridge, and proposed the points abovementioned to their consideration. This was done at Lambeth on the 10th of November. These prelates and divines, after some consultation, came to the following resolution, digested under nine heads, and called the Lambeth articles. They stand thus:—

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1. *Deus ab æterno prædestinavit quosdam ad vitam, quosdam reprobavit ad mortem.*

1. God from all eternity has predestinated some persons to life, and some he has reprobated, or doomed to death and destruction. *The Lambeth articles settled the Calvinian way.*

2. *Causa movens aut efficiens prædestinationis ad vitam non est prævisio fidei, aut perseverantiæ, aut bonorum operum, aut ullius rei quæ insit in personis prædestinatis, sed sola voluntas bene placiti Dei.*

2. The moving or efficient cause of predestination unto life, is not the divine pre-science of faith, or of perseverance, or of good works, or of any other commendable quality in the person predestinated, but only the good-will and pleasure of God.

3. *Prædestinatorum præfinitus et certus est numerus, qui nec augeri nec minui potest.*

3. The number of the predestinate is fixed and pre-ordained, and can neither be increased or lessened.

4. *Qui non sunt prædestinati ad salutem, necessario propter peccata sua damnabuntur.*

4. Those who are not predestinated to salvation shall be, necessarily or inevitably, damned for their sins.

5. *Vera, viva, et justificans fides, et Spiritus Dei justificantis, non extinguitur, non excidit, non evanescit in electis, aut finaliter, aut totaliter.*

5. A true, lively, and justifying faith, and the operation of justifying grace, is not extinguished, it neither fails, nor goes off, in the elect, finally or totally.

6. *Homo vere fidelis, id est fide justificante præditus, certus*

6. A man truly said to be one of the faithful, that is,

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est plerophoria fidei de remissione peccatorum suorum, et salute sempiterna sua per Christum.

7. *Gratia salutaris non tribuitur, non communicatur, non conceditur universis hominibus, qua servari possint si velint.*

8. *Nemo potest venire ad Christum, nisi datum ei fuerit, et nisi Pater eum traxerit; et omnes homines non trahuntur a Patre, ut veniant ad Filium.*

9. *Non est positum in arbitrio aut potestate unius cujusque hominis servari.*

one furnished with justifying faith, has a full assurance and certainty of the remission of his sins, and of his everlasting salvation by Christ.

7. Saving grace is not given or communicated to all men; that is, they have not such a measure of Divine assistance as may enable them to be saved, if they will.

8. No person can come to Christ unless it be given unto him, and unless the Father shall draw him; but all men are not drawn by the Father, that they may come to the Son.

9. It is not in every one's will and power to be saved¹.

Fuller's
Ch. Hist.
book 9.

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That archbishop Whitgift believed the articles true under this state, I think is pretty plain from his assenting to them. The learned Heylin endeavours to relieve his memory from this imputation, and supposes he might afford his countenance upon other motives. For instance, that he might prefer the making up the present differences, and allaying the heats in the university, to the guarding against remoter inconveniences, which lay more out of sight; or, that he might think it proper to support the queen's professor against those of the contrary sentiment; since Whitaker having somewhat of a public character, and having done service to the Reformation, deserved somewhat more than ordinary consideration. Farther, he supposes it possible that Whitgift, not having penetrated the subject, nor viewed the articles on all sides, might be surprised into an approbation. This excuse can do little service. But to fortify the rest of his conjectures, he observes, this archbishop took Hooker's part against Travers, at the council-board, and en-

¹ Tomline, in his refutation of Calvinism, has shown that the fathers of the three first centuries do not confirm these Calvinistic articles; and Scott in his defence of them is supported by few patristic authorities earlier than Augustin, always more eloquent than wise.

tertained Dr. Harsnet in his family, who had decried the doctrine of irrelative reprobation in a sermon at St. Paul's-cross.

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Some time before these articles were passed at Lambeth, Whitgift wrote to Hutton, archbishop of York, for his opinion upon the controversy; acquainting him withal with the clashing and animosities at Cambridge. Hutton returned an answer dated October the 1st. "This prelate, in his letter, laments the misunderstandings in the university of Cambridge, and seems to throw the blame on those of the anti-Calvinian side.

Heylin, Hist. of Presbyt. book 10. Oct. 1595.

He takes notice of his having a copy of the Lambeth articles; and that at first he thought to have offered something upon each of them." But whether these strictures were to reinforce, or qualify, or object, he does not tell us. "But upon farther consideration he laid this method aside, and chose rather to deliver his opinion briefly upon the points of election and reprobation, which seemed to have given rise to the dispute. This way he thought the most advisable; for, by treating the particular articles, he was afraid some people, for whom he had a great regard, might be exasperated. And lastly, he puts the archbishop in mind, that they two while they lived in Cambridge were exactly of the same sentiment in religious matters."

Archbishop Hutton's letter to Whitgift.

But what his opinion was upon the heads of reprobation and election, was drawn up, I suppose, in a distinct paper, for it is not inserted in the letter. Upon the whole, it is not clear, from this letter, that archbishop Hutton was wholly for the Lambeth articles. But let this be as it will, it is certain the queen was extremely disobliged at so public a resolution; inso-much that, had it not been for the interest of some of Whitgift's friends, and the particular regard her majesty had for this prelate, she had ordered all these Lambeth divines to be prosecuted to a præmunire. But now being softened to a gentler resolve, she condescended to hear the archbishop in his defence. He excused himself by alleging, that "neither himself or the other divines had made any canons, articles, or decrees, for a standing rule or direction to the Church; but that their design was only to settle some propositions to be sent to Cambridge for quieting some unhappy differences in that university." The queen, though somewhat satisfied with this apology, commanded the archbishop to recal and suppress those articles with all expedition. This order was so carefully executed, that a copy of them was not to be met with for a long time after.

Fuller's Ch. Hist. book 9.

The Lambeth articles suppressed by the archbishop at the queen's order.

Heylin's Hist. Presb. book 10.

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Farther. That these Lambeth articles were not the general doctrine of the English Reformation, appears both from the homilies and the writings of several eminent divines in the Church's communion.

*The Homi-
lies declare
against some
of them.*

First. The homily of the nativity of our blessed Saviour, speaking of the redemption purchased by him, declares that "this deliverance or redemption was not partial, intended only for a few, but general and universal for all mankind." And afterwards, in the same discourse, it is said, that "the promise and covenant of God made unto Abraham and his posterity, was to deliver mankind from the bitter curse of the law; and that the promised Messiah was to make perfect satisfaction by his death for the sins of all people." And thus this passage pronounces clearly against the Lambeth articles upon the point of universal redemption.

The homily of the resurrection seems plainly to combat another article. It is with respect to the falling finally from a state of grace and safety. For speaking how dangerous a thing it would be to relapse into immorality after the pardon of our sins, these expressions are used:—"What a folly would it be for us to lose the inheritance we are now set in, for the vile and transitory pleasures of sin; and what an unkindness would it be to drive our Saviour Christ from us, to banish him violently out of our souls; and instead of him, in whom is all grace and virtue, to receive the ungracious spirit of the devil, the founder of all naughtiness and mischief!" And can the falling away from grace, and the forfeiture of happiness, be insinuated in plainer language? And as to the co-operation of the will, with the assistance of heaven, it may be well supposed as a matter beyond all question from the publishing the homilies. For to what purpose are all those arguments to virtue, and dissuasives from vice, made use of by the compilers, if men are perfectly disabled in their natural faculties, and can do nothing for themselves?

Jewel's
Defens.
Apolog.
cap. 18.
*Bishop
Jewel, and
Noel, dean
of St. Paul's,
write to the
same pur-
pose.*

The famous bishop Jewel affirms, that, by the words "It is finished," pronounced by our Saviour upon the cross, it was plainly signified, "Persolutum jam esse pretium pro peccato humani generis;" that the ransom for the sin of mankind was now fully discharged. And does not this imply his belief of universal redemption? And as this prelate was a leading member in the upper house of convocation, so Noel was prolo-

cutor for the lower house, when the Nine-and-thirty Articles were debated and settled. Now, this divine, in his Latin Catechism, assigning the reasons why God is said to be our Father, mentions this as one of the most significant :—"Quod nos divine per Spiritum Sanctum regeneravit, et per fidem in verum suum et naturalem Filium Jesum Christum nos elegit, sibi que filios et regni cælestis hæredes per eundem instituit." (That is, because he has regenerated us by the Holy Ghost, and elected us by faith in his Son Jesus Christ, &c.) From hence it is inferred, that if election is the effect of our faith in Christ, and is consequent upon this quality, then the "supra et sublapsarian" schemes are out of doors, and cannot be said to be any part of Noel's persuasion.

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BETH.

Dr. Baroe, Margaret professor in Cambridge, about the year 1574, declares strongly against the Zuinglian or Calvinian doctrine of predestination. In his lecture upon these words of Jonah, "Yet forty days, and Nineveh shall be overthrown," he asserts, that the denouncing this judgment is not to be looked on as if the prophet had proclaimed an absolute decree from heaven; but this decisive language was used only to awaken the Ninevites to repentance. For notwithstanding the sentence has a positive and decretory sound, it is certain there was a condition implied; and therefore the threatening must be construed to this meaning: that the Ninevites should certainly be overthrown, unless they repented. That the text is thus to be understood, is evident from the event. From hence he proceeds to discourse the point of election to eternal life. And from this history of Jonah, and a resembling case in Genesis, he makes no scruple to affirm, that "it is the will of God we should have eternal life, if we believe and persevere in the faith of Christ; but if we do not believe, or fall short in our perseverance, then it is not the will of God we should be saved." He illustrates this point farther by the message delivered to Hezekiah by the prophet Esaiah. And here, notwithstanding the issue seems not to correspond with the sentence pronounced, he salves the inconsistency with the implication of a tacit reserve; "and thus (says he) the immutability of the Divine attributes is obvious and intelligible." But of this Baroe more afterwards.

Dr. Baroe, Margaret professor, determines against absolute reprobation.

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Baroe Præ-
lect. 29.
Gen. xx. 3.

2 Kings xx.
1.
Baroe Præ-
lect. 30.

Harsnet's sermon at St. Paul's-cross, preached in the year 1584, is more full and remarkable for this purpose. His text

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Ezek. xxxiii.
11.

*A remark-
able sermon
against the
Predestina-
rians preach-
ed at St.
Paul's-cross
by Mr.
Harsnet.*

*Harsnet's
sermon at
St. Paul's-
cross, bound
up at the
end of Dr.
Steward's
Three Ser-
mons in the
year 1658.*

was these words :—" As I live, saith the Lord God, I have no pleasure in the death of the wicked." From hence he takes occasion to break out into some warmth against the Calvinian doctrine of reprobation. " There is a conceit in the world (says he), which speaks little better of our gracious God than this : that God should design many thousands of souls to hell before they were ; not in eye to their faults, but to his own absolute will and power, and to get him glory in their damnation. This opinion is grown high and monstrous, and like a Goliath, and men do shake and tremble at it, yet never a man reaches to David's sling to cast it down. In the name of the Lord of Hosts, we will encounter it ; for it has reviled not the host of the living God, but the Lord of Hosts himself.

" First. That it is directly in opposition to this text of holy Scripture, and so turns the truth of God into a lie. For whereas God in this text doth say and swear, that he doth not delight in the death of man, this opinion saith, that not one, or two, but millions of men should fry in hell ; and that he made them for no other purpose than to be the children of death and hell, and that for no other cause but his mere pleasure sake ; and so say, that God doth not only say, but will swear to a lie. For the oath should have run thus : ' As I live, saith the Lord, I do delight in the death of man.'

" Secondly. It doth (not by consequence, but) directly make God the author of sin. For if God, without eye to sin, did design men to hell, then did he say and set down that he should sin ; for without sin he cannot come to hell. And, indeed, doth not this opinion say, that the Almighty God, in the eye of his counsel, did not only see, but say, that Adam should fall, and so order, and decree, and set down his fall, that it was no more possible for him not to fall, than it was possible for him not to eat ? And of that, when God doth order, set down, and decree (I trust), he is the author, unless they will say, then when the right honourable lord keeper doth say in open court, ' we order,' he means not to be the author of that his order."

Which said, he tells us :—

" Thirdly. That it takes away from Adam (in his state of innocency) all freedom of will and liberty not to sin ; for had he had freedom to have altered God's designment, Adam's liberty had been above the designment of God. And

here I remember a little witty solution is made: that is, if we respect Adam's will, he had power not to sin; but if God's decrees, he could not but sin. This is a silly solution; and indeed it is as much as if you should take a sound strong man, that hath power to walk and to lie still, and bind him hand and foot (as they do in Bedlam), and lay him down, and then bid him rise up and walk, or else you will stir him up with a whip, and he tell you that there be chains, so that he is not able to stir. And you tell him again, that that is no excuse; for if he look upon his health, his strength, his legs, he hath power to walk, or stand still; but if upon his chains, indeed, in that respect, he is not able to walk. I trust he that should whip that man for not walking, were well worthy to be whipped himself.

“Fourthly. As God doth abhor a heart and a heart, and his soul detesteth also a double-minded man, so himself cannot have a mind and a mind,—a face, like Janus, to look two ways. Yet this opinion maketh in God two wills, the one flat opposite to the other. A hidden will, by which he appointed and willed Adam should sin; and an open will, by which he forbade him to sin. His open will said to Adam, in Paradise, ‘Adam, thou shalt not eat of the tree of good and evil;’ his hidden will said, ‘Thou shalt eat,—nay, now I myself cannot keep thee from eating, for my decree from eternity is passed; thou shalt eat, that thou mayst drown all thy posterity in sin, and that I may drench them, as I have designed, in the bottomless pit of hell.’

“Fifthly. Among all the abominations of queen Jezebel, that was the greatest (1 Kings xxi.), when, as hunting after the life of innocent Naboth, she set him up amongst the princes of the land, that so he might have the greater fall. God planted man in paradise (as in a pleasant vineyard), and mounted him to the world as on a stage, and honoured him with the sovereignty over all the creatures; he put all things in subjection under his feet, so that he could not pass a decree from all eternity against him, to throw him down headlong into hell. For God is not a Jezebel, ‘tollere in altum,’ to lift up a man, ‘ut casu graviore ruat,’ that he may make the greater noise with his fall¹.”

¹ The Universalism of Origen, and the Manicheism of Augustin, are theological antipodes—the former of which is the theory of light and happiness, the latter of darkness and misery.

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He goes on to a considerable length upon the same argument; but what has been cited is enough to show his opinion.

However, notwithstanding what has been produced on this side of the question, it is certain the Calvinian system prevailed upon great numbers, and seems to have been the general, or at least the governing persuasion in the university of Cambridge. As for Harsnet, it does not appear he met with any check or discountenance for laying such black imputations upon the predestinarian doctrine: though it must be confessed he exposed himself sufficiently by dilating so much upon the subject, and declaiming so vigorously in so public a place: for, commonly, at St. Paul's-cross, the privy-council, the bishops in town, and the judges, made part of the audience. But we do not find Harsnet underwent any censure upon this score, either by the High Commission, or that any complaint was made to the queen or council. Whereas, had the discourse been judged inconsistent with the doctrine of the Church, this might have been expected. On the other hand, Harsnet was one of Whitgift's chaplains, and afterwards recommended by him to king James, by whom he was first preferred to the mastership of Pembroke-hall, and then to the see of Chichester; from whence he was translated to Norwich, and in the next reign promoted to the archbishopric of York.

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But notwithstanding Harsnet's success, the opposite opinion seems to have had the ascendant in Cambridge; where, the heat of the controversy being kept up, Dr. Baroe, finding himself overbalanced, was willing to relinquish the chair, and quit the university. Fuller will have it, he expected being turned out when the term of his professorship was expired. He takes notice, "his triennial lecture began to draw near an end." Here Dr. Heylin, from the records of the university, proves Fuller mistaken in assigning the length of the time, and shows the Margaret professor was never chosen for more than two years. This learned writer observes, elsewhere, that Baroe held his professor's place to the end of the term, and did not so much as offer himself for another election. But notwithstanding he was not ejected, it is probable he might retire from his post upon the score of being uneasy; for now his doctrine was not only censured by the Lambeth articles, but a complaint against him, subscribed by some of the heads, had been sent up to the lord Burleigh. Now since this letter opens the

Examen
Histor.
p. 165.
Quinquart.
Hist. p. 623.

history of this controversy, shows the rise of the dispute, and the strength of the contending parties, it may not be improper to lay it before the reader. ELIZABETH.

A Copy of a Letter sent from some of the Heads in Cambridge to Lord Burleigh, Lord High Treasurer of England, and Chancellor of the University.

“ RIGHT HONOURABLE,

“ Our bounden duty remembered: we are right sorry to have such occasion to trouble your lordship, but the peace of this University and Church (which is dear unto us) being brought in peril by the late reviving of new opinions and troublesome controversies amongst us, hath urged us (in regard of the places we here sustain) not only to be careful for the suppressing the same to our power, but also to give your lordship farther information hereof, as our honourable head and careful chancellor. *A letter to the lord Burleigh, chancellor of Cambridge, touching the predestinarian controversy.*

“ About a year past (amongst divers others who here attempted to teach publicly new and strange opinions in religion,) one Mr. Barret, more boldly than the rest, did preach divers popish errors in St. Mary’s, to the just offence of many, which he was enjoined to retract, but hath refused so to do in such sort as hath been prescribed: with whose fact and opinions your lordship was made acquainted by Dr. Some, the deputy vice-chancellor. Hereby offence and division growing, as after by Dr. Baroe’s public lectures and determinations in the schools, contrary (as his auditors have informed) to Dr. Whiteacres, and the sound received truth ever since her majesty’s reign; we sent up to London by common consent in November last, Dr. Tyndal and Dr. Whiteacres, (men especially chosen for that purpose) for conference with my lord of Canterbury, and other principal divines there, that the controversies being examined, and the truth by their consent confirmed, the contrary errors and contentions thereabouts might the rather cease. By whose good travel with sound consent in truth, such advice and care were taken by certain propositions (containing certain substantial points of religion, taught and received in this University and Church during the time of her majesty’s reign, and consented unto and published by the best approved divines, both at home and abroad), for the maintaining of the same

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truth and peace of the Church, as thereby we enjoyed here great and comfortable quiet, until Dr. Baroe, (in January last, in his sermon *ad clerum*, in St. Mary's, contrary to restraint and commandment from the vice-chancellor and the heads), by renewing again these opinions, disturbed our peace, whereby his adherents and disciples were and are too much emboldened to maintain false doctrine, to the corrupting and disturbing the University and the Church, if it be not in time effectually prevented. For remedy whereof we have, with joint consent and care, (upon complaint of divers bachelors of divinity), proceeded in the examination of the cause, according to our statutes, and usual manner of proceeding in such causes, whereby it appeareth, by sufficient testimonies, that Dr. Baroe hath offended in such things as his articles had charged him withal.

“ There is also, since the former, another complaint preferred against him by certain bachelors in divinity, that he hath not only in the sermon, but also for the space of this fourteen or fifteen years, taught in his lectures, preached in his sermons, determined in the schools, and printed in several books, divers points of doctrine, not only contrary to himself, but also contrary to that which hath been taught and received ever since her majesty's reign, and agreeable to the errors of popery, which we know your lordship hath always disliked and hated : so that we justly complain, who for the space of many years past have yielded him sundry benefits and favours here in the university, being a stranger, and forborne him when he hath often heretofore (busy and curious ‘ in aliena republica ’), broached new and strange questions in religion. Now, unless we should be careless in maintaining the truth of religion established, and of our duties in our places, we cannot (being resolved and confirmed in the truth of the long professed and received doctrine) but continue to use all good means, and seek at your lordship's hands some effectual remedy hereof, lest by permitting passage to these errors, the whole body of popery should by little and little break in upon us, to the overthrow of our religion, and consequently the withdrawing of many here and elsewhere from true obedience to her majesty.

“ May it therefore please your lordship to have an honourable consideration of the premises, and (for the better maintaining of peace, and the truth of religion, so long received in this university and Church,) to vouchsafe your lordship's good

aid and advice, both to the comfort of us, (wholly consenting and agreeing in judgment,) and all others of the university truly affected, and to the suppression in time, not only of these errors, but even of gross popery, like by such means in time easily to creep in amongst us (as we find by late experience it hath dangerously begun). Thus craving pardon for troubling your lordship, and commending the same in prayers to Almighty God, we humbly take our leave.

ELIZABETH.

“ Your lordship’s humble,

“ And bounden to be commanded,

“ ROGER GOAD, Procan.

R. SOME,

THO. LEG,

JOHN JEGON,

THOMAS NEVIL,

THOMAS PRESTON,

HUMP. TYNDAL,

JAMES MONTAGUE,

EDMOND BARWELL,

LAURENCE CUTTERTON.

“ From Cambridge,

“ March the 8th, 1595.”

By this complaining letter, the reader may perceive the university began to make a stand upon the predestinarian novelties, to throw off the impositions of Calvinism, and recover the old doctrine of the Reformation. I say the old doctrine, for that the Church reformed upon different notions of free-will, perseverance, &c. may be collected from what has been already observed in the reigns of king Henry VIII. and king Edward VI. And here, besides the “ Institution and Erudition of a Christian Man,” drawn up by the bishops, we have the single authorities of Latimer and Hooper. To which may be added the Homilies, set forth in the reign of king Edward VI.; some of which are very full to this purpose. I might subjoin more testimonies from the Homilies, and other divines in the reign of king Edward; but what has been said may serve to satisfy the reader, that as Calvin’s Church government found no entertainment with our first reformers, so neither did his doctrine pass their test, or settle into any public establishment¹.

To proceed: Richard Fletcher, bishop of London, drew up

¹ The orthodoxy of Baroe and Barret is now generally recognised; but they both suffered severely from their Calvinistic antagonists, who, however erroneous, multiplied amazingly, as appears from Calvinistic writers, such as Gill, Toplady, &c.

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The Church of England not reformed upon the Calvinian scheme, either in discipline or doctrine.

Latimer’s Eighth Sermon in Lincoln.

Hooper’s Preface to Expos. on the Ten Commandments.

A Sermon, “How Dangerous a Thing it is to fall from God.”

Homil. edit. 1687. p. 78.

Second Part of the Sermon on Falling from God, id. p. 83.

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some regulations for his diocese, and reforming his spiritual courts. How far they were executed is uncertain; for they run in a form of recommendation, rather than command. However, since they mention the complaints against the ecclesiastical courts, point to the remedy, set forth the discipline, and open the methods of proceeding, I shall transcribe them into the records.

See Records,
num. 95.
*A general
assembly at
Montrose in
Scotland.*

And now this year may conclude with the mention of a general assembly at Montrose, in June last. At this meeting the king's commissioners insisted upon the following articles:

First. That whosoever engaged in any treasonable practice against the king's person and government, should, after legal conviction, be excommunicated; that by this means there might be a constant harmony between the Church and State.

Secondly. That no excommunication should be pronounced at the discretion of particular persons, but that a sufficient number of the Church should be first convened, and the censure agreed by public consent.

Thirdly. That none should be excommunicated for civil causes, for petty instances of misbehaviour, or particular injuries to ministers, lest by such mismanagement this solemn exercise of the keys should fall into contempt.

Fourthly. That for the future none should be summarily excommunicated, but that the legal and customary summons of the parties should be premised.

The assembly agreed to the first proposition, with the limitation of "*legitima cognitione Ecclesiastica praeunte*;" or that "the cause should be first examined by the Church." The second article was passed without reserve; but they demurred to the third and fourth: these, they said, were points of great weight, and required time for deliberation. And thus the settling those two articles was postponed to the next assembly. However, to offer something towards satisfaction in the mean time, they forbid any summary excommunication, "*nisi salus Ecclesiae periclitetur*," *i. e.* "unless the Church was in danger:" and when that case came up, they intended, no doubt, to be judges themselves. This clause was interpreted by the king as a reserve for liberty, and a colour for arbitrary proceedings.

Spotswood.

The next year affords little Church history in England, but *An assembly* in Scotland a great deal. The assembly met at Edinburgh, to

consult upon the danger with which the kingdom seemed to be threatened : for now a Spanish invasion was the general discourse, and here the inquiry turned upon two points. First, what might be the cause of so black a prospect : and, secondly, they deliberated upon the means to resist the common enemy. As to the causes, they concluded them the sins of the nation, and more especially of the ministry : and, to give the better direction to a remedy, they ordered a committee to draw up the failings of the Churchmen under several heads, both with respect to their office and private life. Thus within a day or two several articles of the ministers' misbehaviour were laid before the assembly. And, to discharge their commission more effectually, they brought in a lay-list of the disorders in the king's family ; the mal-administration in the courts of justice, and the failings common to all degrees, together with the proper remedies.

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at Edinburgh, A.D.
1596.

This performance being well received, and the assembly acknowledging that part of the charge which concerned themselves, appointed a day of humiliation for making a new covenant, as they called it, to awaken their consciences to a better discharge of their duty. This is the covenant which the parity-men object was broken at the settling episcopacy : but this, as archbishop Spotswood observes, is a great mistake : for this humiliation-covenant has not so much as a syllable sounding to this sense : nothing that relates either to the confirming the Presbyterian government, or renouncing the ancient hierarchy : they only obliged themselves, in general, to continue in " the profession of the truth," and live answerably : but as to any regulations of ceremony, or ecclesiastical polity, there is no mention of that in the records. As to the expedients for opposing the common enemy, they addressed the court, that all those who had abetted the insurrection of the popish lords, should surrender themselves, and be confined till they had given security not to hold any correspondence with those noblemen, in case they returned into the country : and that the revenues of the banished lords' estates should be seized for raising and paying troops for the defence of the kingdom, with some other suggestions of this kind, not necessary to be mentioned.

Spotswood,
p. 416.

This address was by no means acceptable to the king ; he considered the queen of England was far advanced in years ; for this reason, besides others, he desired to live easy at home,

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and give general satisfaction to his subjects: for that otherwise his right to the English crown might probably be disturbed. To this purpose, some time before this meeting of the Kirk, he sent for Mr. Robert Bruce, a leading man in the assembly, opened the design of recalling the Roman Catholic lords, with the good effect it might have upon the public repose. Bruce excepted only against the earl of Huntley, whom the king seemed to favour above the rest. The king condescended to argue the point, and offered several reasons to justify the motion. To this Bruce replied, with a surprising assurance, "I see, sir," says he, "that your resolution is to take Huntley into favour; which if you do, I will oppose, and you shall choose whether you will lose Huntley or me; for us both you cannot keep." By the way, notwithstanding this size of confidence, this minister was reputed one of the most modest unbigoted men of the whole party¹.

*Bruce's
answer
to the king.*

Id. p. 417.
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There were two conventions of the estates this summer, one at Falkland, and the other at Dunfermline; in both of which, the return of the Roman Catholic lords, who had been banished for holding a correspondence with the Spaniards, was agreed. Now, notwithstanding the conditions required of these noblemen were a sufficient guard to the Scotch Reformation, the commissioners for the Kirk were much disturbed at this permission. To alarm their party, and fill the country with jealousies and fears, they ordered a public humiliation should be kept on the first Sunday of December; that, upon that day, the ministers should enlarge upon the danger religion was in by the return of the excommunicated lords; that the presbyteries should convent those who entertained or kept any correspondence with these exiles, and proceed summarily upon one citation with the censures of the Church, "quia periclitatur salus ecclesiæ et reipublicæ;" and, lastly, it was resolved that a selected number of commissioners, picked out of the country, should come up to town, sit with the presbytery of Edinburgh, and conclude upon measures proper for the juncture.

*The com-
missioners of
the Kirk
take check at
what was
agreed by
the conven-
tion of the
estates.*

This new body, called "The Council of the Church," sat every day, and gave out such orders as they thought proper upon every emergency. By the direction of this board, the lord Alexander Scaton, president of the session, was called before the synod of Lothian, for holding intelligence with the

¹ One of Collier's shrewdest sarcasms.

earl of Huntley. This synod referred him back to the council, where, after having solemnly purged himself from the imputation, and engaged against any such correspondence for the future, he had the favour of being dismissed.

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The king, being apprehensive of farther disturbances, and willing to keep fair with the Kirk, ordered his council to enter upon a conference with some of the most moderate ministers, and endeavour giving them satisfaction touching the return of the banished lords. To this purpose, David Lindsay, Patrick Galaway, James Nicholson, and James Melvil, were sent for to court, and desired to answer this question: "Whether the banished lords, after having given the Church proper satisfaction,—for, without this condition, the king intended them no favour,—might not be pardoned, and restored to their estates?" To this the ministers replied, "they came only to hear proposals, but could give no answer to a business of that importance till they had made a report to their brethren." Upon this the conference was postponed till the afternoon, when they promised to return with the opinion of their principals. They kept their time, and reported, "that the brethren were glad of the respect his majesty had shown the Church; but in their judgment, the popish lords having deserved death by the law of God, and forfeited their estates by the sentence of the highest court in the kingdom, they could not be lawfully pardoned or restored. And if the king and council would undertake so far in their favour, they must answer it to God and the country; but as for themselves, they could give no concurrence, but must solemnly protest against such proceedings."

*A conference
between some
of the privy-
council and
the ministers,
but without
effect.*

After this answer, made up of passion and ignorance, they were asked, in the next place, "Whether, in case the Roman Catholic lords moved to be reconciled to the Reformation, they could reasonably be rejected? it being a received maxim, that the arms of the Church are always open to recollection and repentance." To this the ministers replied, "that, though the Church could not refuse their satisfaction, if sincerely offered, the king was obliged to do justice." The king's council finding no reasoning could reach them, or disengage them from the extravagance of their demands, broke off the conference, and gave an account to the king of what passed. His majesty was extremely displeased at the ministers' behaviour, and spoke out his resentment upon all occasions. Some of the more prudent, foreseeing the ill effects which might be conse-

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quent upon this provocation, advised the ministers to send some of their body to wait upon the king, and take off the impression. They were to offer his majesty satisfaction, to represent their grievances, and to manage themselves in the address with due submission and regard.

*The king
expostulates
with the
Church-com-
missioners.*

And here they found the king more decreetory and correcting in his answers than they expected; for being intreated to acquaint them with the reasons of his displeasure, with a promise to rectify what lay in their power, he told them, "There could be no agreement till the limits of the two jurisdictions were better distinguished; that in their sermons they took the liberty to censure the proceedings of his council, and the public administration; that they convened general assemblies without his leave, made orders there at discretion, without applying for his approbation; and in their synods, presbyteries, and parochial sessions, took cognizance of every thing upon pretence of scandal. Besides these, there were several other disorders which he must have reformed, without which it was in vain to expect standing fair in his opinion¹."

Idem.

The ministers, not wishing the king should declare farther upon this subject, made a modest reply to the points objected. After this, they began to lay open their grievances. They complained of "the resolution of the estates in favour of the popish lords, of the countenance given the lady Huntley, and the lady Levingston's being entrusted with the princess's education." To this remonstrance the king returned an answer, which might reasonably have given satisfaction.

*Blake rails
in the pulpit
against the
king, the
council, and
queen Eliza-
beth.*

While things were thus perplexed betwixt the king and the Church, David Blake, a minister at St. Andrew's, made the breach wider. This man in one of his sermons had run an extravagant length of satire and ill manners against the king, the queen, the council, and lords of the session; and that his rudeness might reach the whole island, he called the queen of England an atheist, and a woman of no religion. The English ambassador complaining of this insolence to the king, Blake was ordered to appear before the council. Andrew Melvil came along with Blake to Edinburgh, and solicited strongly for him. He endeavoured to persuade the ministers that the common cause was concerned; that the jurisdiction of the Kirk

Nov. 10.
*He is sum-
moned to
appear be-
fore the
council.*

¹ King James could not convince them of the supremacy of the crown; and the spirit of ecclesiastical rebellion so thoroughly possessed the Presbyterians, that they hurried on to the blackest catastrophe the constitution has ever sustained.

was struck at in Blake's prosecution: and that the king and council designed to make a precedent of the case. Melvil's heat and rhetoric prevailed so far upon the Church-commissioners, that they sent some of their number to address the king the process might be stopped, suggesting, that the prosecuting the ministers upon trifling informations would be ill interpreted, especially since the enemies of the truth were connived at. Some little time before these commissioners waited upon the king, his majesty had published the conditions upon which the earl of Huntley and the other popish lords were to be received into his protection. The king asked these commissioners if they had seen this paper? adding, withal, that both Huntley and the rest in his circumstances should satisfy the Church in every point, or be prosecuted to the utmost rigour; and that nobody should have reason to complain of the partiality of the government with respect to the Roman Catholics. As for Blake, that matter should not go very near him, only he expected his appearance, and that some expedient might be thought on for satisfying the English ambassador. "But," continued the king, "have a care you do not decline the judicature; for if you do, it will be of worse consequence than any thing that has yet happened."

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Notwithstanding the conduct of the court with the Roman Catholics was clear and unexceptionable, yet nothing was enough to stop the clamours of the people. This ill-founded jealousy against the government was fomented by the preachers, who were perpetually haranguing upon this subject. The audience were generally made to believe that the Papists were caressed, and the ministers called in question for doing their duty and reproving sin; and that the sceptre of Christ's kingdom was plainly grasped at. As for the process against Blake, it was only a piece of finesse in the court to divert the ministers from urging the prosecution of the popish lords; and that if Blake should submit his doctrine to the cognizance of the council, "the liberties of the Church and the spiritual government of the house of God would be wholly lost and subverted." In fine, therefore, they concluded a declinator the only remedy, and that there was a necessity of protesting against the present proceedings. This was a bold expedient, and strongly dissuaded by some of the more sober and dispassionate. But these were quickly overvoted by a majority, who cried out, it was the cause of God, and that they ought to stand the event

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at the utmost hazard. Pursuant to this rash resolution, a declinator was put into Blake's hand to exhibit at his appearance. The instrument set forth,—

His declinator or plea against the jurisdiction of the temporal courts.

“That, notwithstanding his innocence put him in a condition of bearing up against calumny and misreport, and that he was ready to justify his sermon with respect either to the first meaning, or application; yet since his majesty and the council had undertaken to make themselves judges of his doctrine, and that his pleading to the information might disserve the liberties of the Church, and be construed as an acknowledgment of his majesty's jurisdiction in matters purely spiritual, he was obliged in all humility to demur to the authority of the court for the reasons following:—

1 Cor. xiv.

“First. Because the Lord Jesus, from whom he had the honour of a commission, had given him a rule in the holy Scriptures for the management of his office; and that he could not fail in his regards to the civil government, unless he had exceeded his instructions. Now whether he had been thus unhappy or not, belonged to the sole cognizance of the prophets and pastors; ‘for the spirits of the prophets are subject only to the prophets.’

“Secondly. In regard the liberties of the Church, and the discipline established was confirmed by several acts of parliament, and the office-bearers peaceably possessed of the trial of doctrine, he ought to be remitted to the ecclesiastical senate, as his competent judges in the first instance. For these and other weighty considerations, particularly for preventing the inconveniences which might happen to religion and his majesty, in case any alienation of his majesty's mind from the ministry and the cause of God should appear;—to prevent the inconveniences, he, both for himself and in the name of the commissioners of the general assembly, who had signed his declinator, humbly beseeched his majesty not to overbear the liberties of the Church, but rather discover his inclination to support it.”

Blake's plea to the information.

When the trial came on, and he was required to plead to the information, he told the court, that, “though it was in his power to object to the legality of the forms, yet he should wave that advantage, apply to the customary remedy, and desire to be remitted to his proper ordinary.” Being asked his meaning, he told them, “his ordinary was the presbytery within whose precinct the sermon was preached.” And whereas he had

alleged the charge was general, and contrary to the provisions of parliament; to this when the king replied, the general terms of the information were qualified to a particular reference produced by the English ambassador;—to this his answer was, that, “since the matter of the charge was delivered in the pulpit, he ought to be judged by the Church in the first instance.” Being farther demanded, “whether the king was not as competent a judge of treason, as the Church was of heresy?” he replied, that “words spoken in the pulpit, though alleged to be treasonable, could not be judged by the king, till the Church took first cognition thereof. But he was not come thither (he said) to argue and disentangle questions;” and then exhibited his declinator. Now the solemnity of the princess’s christening drawing near, the trial was put off to the last of November.

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The commissioners in the mean time sent a copy of Blake’s declinator to all the presbyteries. They wrote to them at the same time to sign the instrument; to recommend the cause in their private and public prayers; to use their interest with their parishioners; and exert themselves with all imaginable vigour. The king, looking upon these motions as preparatory to mutiny and rebellion, published a proclamation to forbid the Church-commissioners meeting together; censured their proceedings as tending to an insurrection; and ordered them to return to their respective parishes within twenty-four hours, under the penalty of being prosecuted for rebels.

*A copy of
the decli-
nator sent to
the pres-
byteries.*

*The Church-
commis-
sioners
ordered to
quit Edin-
burgh.*

This proclamation shocked the commissioners, and put them to a stand; but they quickly re-collected their spirits, and resolved to risk the event. However, to embarrass themselves as little as might be, they sent some of their members to the king to represent the inconveniences likely to follow this hard usage upon the Church; to entreat the prosecution against Blake might be superseded; and that all other controversies of this nature might be referred to a general assembly. The king answered, these disputes were no less unacceptable to him than to themselves; and that if they would either withdraw the declinator, or declare it was no more than a personal remonstrance; that only Blake was concerned in the instrument; and that, being matter of defamation, it belonged to the decision of the Church;—provided this was done, his majesty was contented to wave the prosecution.

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Men of thought and ballast looked upon this proposal as a

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gracious overture, and advised the closing with it. Thus they moved strongly for acquiescence: "For," said they, "if we stand off from good terms, and grapple with the crown, we shall certainly sink in the contest. At present the court has some reverential regard for the Church: we had best therefore compound with them while this deference lasts: for unless we relax in our demands, we shall lose their good opinion. And when they are once exasperated, and exert their strength upon us, our weakness will quickly be discovered. Stiffness and overgrasping seldom succeed, and those who are so strong in their will, commonly suffer in their power." Thus it was argued by the more thinking and moderate division: but these were over-ruled by a rash majority, who insisted, "That the only way to gain their point, was to stand their ground; that God would maintain his own cause; that they ought not to be overawed by secular considerations; that the hearts of princes were in the hand of God; and that they had an instance of his turning them to their advantage in the present business." In short, they resolved to stand by the declinator, unless the king would supersede the process, remit the cause to ecclesiastical judges, and make an act of council, that no minister should be prosecuted for preaching; at least not before the meeting of the general assembly.

The ministers refuse to come to a settlement with the court.

The king, finding himself slighted in so condescending an offer, was very angry, and told those sent to wait on him, "That he would hear no more proposals from the Church, unless they recalled the declinatory;" and ordered Blake to appear, and acknowledge the court. This being refused, the commissioners were charged to depart the town, and Blake had a new summons for the last of November.

Upon this the commissioners presented a petition to the king and the nobility; they entreated the king to refer the decision of the controversy to a general assembly, and not gratify the common enemy by engaging in an intricate dispute: a dispute which seemed to be pressed only to create a misunderstanding between his majesty and the ministers. They desired the nobility to represent the tendency of this affair to his majesty; to give frank and impartial advice, not to be surprised by those who are disaffected to religion, or suffer themselves to be drawn into a party against the Church. Mr. David Lindesay, Mr. Robert Bruce, and Mr. Robert Rollock,

were sent with the address, and had orders, in case it was rejected, to protest against the proceedings of the council.

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The king having perused the paper, laid it aside, as not deserving an answer. And now Blake being called into court, the summons, or information, was read. He was charged with affirming in the pulpit, that the popish lords were returned home with his majesty's knowledge and assurance of protection; and that by giving this countenance, his highness "had discovered the treachery of his heart." Secondly, The information set forth, that Blake had called all kings the "devil's bairns;" and that the "devil was in the court, and in those who directed it." Thirdly, That in his prayer for the queen, he used this expression, "We must pray for her for the fashion, but we have no cause; she will never do us good." Fourthly, That he had called the queen of England an atheist. Fifthly, That he had argued in the pulpit against the proceedings of the lords of the session, and called them miscreants and bribers. Sixthly, That speaking of the nobility, he reproached them by saying, "they were degenerated, godless dissemblers, and enemies to the Church:" and that, mentioning the council, he had called them "holliglasses, cormorants, and men of no religion." Lastly, That in June 1594, he had drawn together several noblemen, barons, and others, in the town of St. Andrew's, incited them to run to arms, and form themselves into troops and companies; and that by so doing he had usurped the regal authority, and insulted the government ¹.

The Church commissioners' petition rejected. The charge against Blake.

After the information was read, Mr. Robert Pont made a protestation for saving the authority of the Church in determining matters of doctrine. The king answered, he had no intention to decide any points of doctrine; but that himself and his council would proceed to censure treasonable expressions in a sermon, unless they could prove by clear Scripture, that ministers in these cases were exempted from the jurisdiction of the civil magistracy.

Protestation against the proceedings of the king and council.

And now Blake being ordered to make his defence, alleged the information was drawn upon false suggestions. And here he produced two testimonials in his behalf: the one was from the provost, bailiffs, and common council of St. Andrew's; the

¹ It is remarkable, that those Presbyterians who most boasted their zeal towards God most violated his laws of civil obedience. Such was the opposition between their faith and works, that they cannot be reconciled: "a good tree cannot bring forth corrupt fruit."

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other from the rector, dean of the faculty, professors and regents of the university. This evidence, he urged, ought to be preferred to any other report whatever. Having premised this, he pleaded, in the next place, that the lords of the council were not proper judges of the first six articles charged upon him; that these pretended criminal expressions being delivered in a pulpit, ought to be tried by a presbytery, for the reasons abovementioned; and then repeating his former declinator, he exhibited a new one of the same tenor. As to the charge of raising the nobility and barons, he submitted himself to the trial of the king and council. Being ordered to withdraw, the question was put to the board, whether Churchmen, in all matters, either criminal or civil, were not within the jurisdiction of the king's courts? This question was resolved affirmatively. Upon this the council broke up, and the evidence against Blake was postponed to the next day.

*The king
offers an ac-
commoda-
tion.*

In the mean time, the king being of a gentle temper, and disposed to accommodate the matter, dispatched the prior of Blantire, treasurer; and Alexander Hume, provost of Edinburgh, to the ministers. The message was to acquaint them his majesty had no intention to proceed to extremities; that if Blake came to him, and declared his conscience concerning the articles charged upon him, the king would take his word, and give him leave to return to his parish. It being night when these gentlemen were sent, most of the commissioners were gone to their lodgings. However, they found four of them, Bruce, Rollock, Nicholson, and James Melvil. These being acquainted with the king's message, Bruce answered in the name of the rest: "That if none but Blake had been concerned, the offer might be accepted; but the liberty of Christ's kingdom had received such a wound by the late proclamations, and by usurping the spiritual jurisdiction, that if Mr. Blake and twenty others had suffered death by the government, it would have been a less affliction to the good brethren than these injurious proceedings: and that unless these things were retracted, they would continue their opposition as long as they had breath."

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Notwithstanding this provoking answer, the king's patience held on. The next morning, he sent for two or three of the ministers, argued with them, and had the goodness to acquaint them that he was so far from any design of lessening the spiri-

*Expostulates
with the
ministers.*

tual jurisdiction, or laying his hands upon any privilege belonging to the Church, that he was rather inclined to make them greater upon a proper occasion. "But this licentious canvassing affairs of State," says he, "in the pulpit cannot be endured. I claim no more than to have the cognizance of criminal and civil causes, and to try my subjects for sedition; that people ought to be prosecuted for mutinous expressions wheresoever delivered,—for that the pulpit should be a privileged place for unwarrantable liberty, and sermons made a screen for sedition, is more, I believe, than any good man will allow. If sedition and treason deserve punishment, the pulpit should be rather an aggravation of the fault than a protection for the offender: for here nothing but truth and duty should be delivered to the audience."

To this one of the ministers replied, "they did not plead for any such privilege of the pulpit; but, since the ministers' commission and message was from God Almighty, they conceived it ought not to be called in question, or overruled by any temporal court." "I wish you would keep close to your message," replied the king; "for then there would be no dispute between us. But I hope it is no part of your instructions to sit at the helm, to arraign the government, harangue the people to sedition, and draw an odium upon your prince by clamour and invectives." "If any ecclesiastic exceeds his commission, and misbehaves himself in this manner," rejoined the minister, "he ought to be punished with the utmost severity; but then, whether matter of fact stands thus or not, must be tried by the Church." "And shall not I," said the king, "be allowed the authority to call a minister into my courts, and punish him for treasonable discourses? Or is there no redress without coming to your presbyteries, and preferring a complaint against one of my own subjects? I have had proof already, in the business of Gibson and Ross, what reparation I may expect from your justice. Were the case doubtful, or any colour to excuse the discourse, it would not be so surprising to desire the minister might be convented before his own body. But this cannot be pretended in the present dispute: for Blake has taken the liberty to say, 'the treachery of the king's heart is discovered, and that all kings are the devil's bairns.' Now, what can be plainer than that the man has overrun his bounds, and gone off from his message? I am not ignorant," continued the king,

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*And conde-
scends to
publish a
declaration
in favour of
the Church.*

“ what convulsions France and England have suffered by the violence of such tempers, and I have been sufficiently exercised with them myself; and, therefore, you must not expect I should connive any longer at such licence. As for any defensible authority annexed to your character, or settled upon your assemblies, by the Scriptures and the laws of the realm, I have no design to lessen any privilege of this kind; and, if you desire it, I am willing to make a public declaration to that purpose.”

This concession being reported, the Church-commissioners agreed to request it. The heads suggested were these: that the king would publish a declaration, that it was not his majesty's intention to prohibit any Church assemblies, or null any orders made there; but that such decrees should stand in force as formerly they had done, being warranted by the Holy Scriptures and the laws of the realm; and that the late prohibiting the barons and gentlemen to meet with the ministers was not to be stretched to any ecclesiastical synods, but only meant for a restraint of their appearing in arms; that nothing which had hitherto happened at Blake's trial should be urged to the prejudice of himself or any other minister; and, lastly, that the whole dispute should be referred to a general assembly, where the barriers between the Church and State might be fairly adjusted.

The king not only agreed to this petition, but made a farther overture of razing the late proclamations out of the council-book,—that is, by inserting a marginal note, which imported a deletion. And, as for Blake, he was willing he should be brought into the presence, that the truth of the articles charged upon him should be referred to his conscience; and that, upon his solemn declaration how far they held good, three ministers, Lindsay, Nicholson, and Buchanan, upon hearing his confession, should pronounce what sentence they thought fit. And now the difficulties seemed all over: for the king demanded very moderate satisfaction: his majesty only required Blake to come before the council, and acknowledge his misbehaviour to the queen. But Blake was too stiff for this reparation: he would neither condemn himself, he said, nor own the council had any authority to prosecute him for his sermon. Upon his persisting in this obstinacy, the deposition of the witnesses was read, and the articles of information fully

*Blake re-
fuses to ask
the queen's
pardon.*

proved upon him. The judgment given against him was, that he had treasonably slandered the king, scandalously maltreated his majesty's consort, the queen of England, and the lords of the council and session; and that, therefore, till his majesty's pleasure was farther known, he should be confined on the north side of the Frith.

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Notwithstanding this sentence, the king was willing to suspend the execution, and offer gentler terms. He condescended so far, as to purpose the razing the offensive passages in the council-book, and to turn the complaining passages in the proclamation upon the Papists. He likewise agreed, that no interlocutory proceedings against Blake should be made a precedent against any other minister; and that none should be questioned by the council for preaching, till it was resolved by a lawful assembly that the king might take cognizance of those preachers who had run out into heterodoxy, and exceeded their commission. On the other side, he required no more than a reasonable security for the good behaviour of the ministers; that they would not fail in their regards to the government, nor speak disrespectfully of his majesty or his council; and, that they would keep themselves thus in compass, he expected a promise under their hands. And all the punishment he asked for Blake was, either that he might be removed from St. Andrew's to another congregation, or suspended some time from his function: and these, considering the nature of the crime, and the stubbornness of the offender, were very merciful corrections.

The king offers further terms of accommodation.

However, this last condition was more than the commissioners would digest. They pretended, that to punish a man without a legal trial, was not practicable in justice; that both the court and the proceedings against Blake were exceptionable; and that the evidences produced against him were disaffected, and under the censures of the Church. To silence this cavil, the king offered to name twenty unexceptionable witnesses; and that Blake should choose seven or eight out of this number. That these men of his own choosing should be examined touching those passages delivered by him in the pulpit; and, which was more too, the king condescended to make them judges: and that if, upon their consciences, they could acquit him, his majesty would prosecute no farther. But all this yielding turned to no account; the ministers were peremptory in their

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The overture refused by the commissioners.

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demands, and held up their claim as high as ever. The commissioners ordered two of the brethren to go to the king and acquaint him, "That since they could have no redress of injuries done to Christ's kingdom; since none but the enemies of truth were countenanced; since the faithful pastors of the Church were prosecuted and reviled, they could not forbear opposing these measures with the spiritual arms God had given them." After this, they indicted a fast with solemn prayers for averting the judgments the mal-administration was likely to bring down upon the kingdom.

Decem. 12,
1596.

*The king
publishes a
declaration
against the
ministers.*

And now the king found it necessary to assert his sovereignty, and strike the misbehaviour of these men. To this purpose he published a declaration, in which his own concessions, the unreasonableness and extraordinary freedoms of the ministers were set forth; he likewise gave his subjects an assurance of his resolution to maintain the established religion, and the liberties of the Church, in their legal extent; and, lastly, all ministers were required to give the king an assurance of their loyalty by subscribing an instrument: and that till this security was given, their livings and stipends should be sequestered.

*The breach
made wider
by some
courtiers.*

About this time, some courtiers being secretly averse to an accommodation, informed the king that the ministers in Edinburgh had a strong guard about them: and that they would never be quiet, till some factious people who abetted them were sent out of town. The king, believing this suggestion, ordered twenty-four most suspected for their partiality to quit the town within six hours. This they knew would be strongly resented by the ministers. And to alarm them farther, a forged letter was sent to bid them stand upon their guard, for Huntley had been with the king late last night, and put his majesty upon that severity to the burghers. This letter, directed to Bruce, was given to Balcanquel, who was to preach that morning: and thus these ministers, who needed no imaginary danger to raise their spirits and sharpen their satire, thought it necessary to exert their zeal, and awaken the people. Thus Balcanquel ran out in a long and violent invective against the court, called the proceedings of the council treacherous forms: and treated the president, the comptroller, and advocate, with most opprobrious language. Then applying himself particularly to the noblemen and barons, reminded

*Balcanquel's
scandalous
sermon.*

them of their ancestors' zeal in reforming religion, and exhorted to the same resolution for maintaining it. And after the concluding prayer, he desired the noblemen and barons to meet the ministers in the little church, and assist them with their advice. When they were met, Bruce began with a remonstrance against the proceedings of the court, and desired them to solicit the king that the ministers might enjoy the benefit of their character, and not be disturbed in their function.

ELIZABETH.

This request seeming reasonable, the lords Lindesay and Forbes, with two lairds and two ministers, were pitched on to present the petition.

The king then happened to be at the session or court of justice in Edinburgh; and here, the lords and the rest being admitted, Bruce spoke the petition, and made somewhat of a tragical representation of the dangers hanging over the Church: and, amongst other grievances, he mentioned that the lady Huntley, a professed papist, was entertained at court. The king, it is likely, not thinking such bold complaints fit to be answered, asked, "Who they were that durst meet against his proclamation?" The lord Lindesay, with some passion, replied, "that they durst do more than that, and that they would not suffer their religion to miscarry." And now, the people crowding in rudely, and filling the room, the king, without giving any answer, withdrew into the lower house, where the judges sit, and ordered the doors to be shut. Those who were sent with the petition, returning to their principals, told them there was no hopes of redress till evil counsellors were removed, and that therefore it was their way to resolve upon some farther expedient. To this, the lord Lindesay answered, there was no course to be taken but one, and that was to keep together and engage for mutual defence, and give their friends notice to come and join them: "for," says he, "it shall be either theirs or ours." This advice was seconded with a great noise, throwing up of hands, and other signs of mutiny and misbehaviour; at last they came to a sedition in form, cried, "To arms! Bring out Haman! The sword of the Lord and of Gideon!" In short, the mob were upon the point of forcing the sessions door, and breaking in upon the king, had they not been kept off by some of the burghers, better disposed.

*The king
insulted.*

*Mutiny in
Edinburgh.*

WHIT-
GIFT,
Abp. Cant.
Idem.

However, the tumult not being over, sir Alexander Hume, provost of the town, though then sick, came into the street, and by his dexterity prevailed with the people to lay down their arms and disperse.

*The king
quits the
town, and
carries off
the courts of
justice.*

To make the story as short as may be, the king, perceiving the ministers and their adherents extravagant in their demands, went off with his council to Linlithgow: and immediately after a proclamation was published at the market-cross of Edinburgh. It was to this effect: "That the king, considering the late treasonable tumult stirred up by certain factious ministers of Edinburgh, who after behaving themselves seditiously in the pulpit, had drawn several noblemen and barons together, and sent some of their body to his majesty in the upper house of session, treated him in an unbecoming undutiful manner, and prevailed with a great number of the burghers to put themselves in arms, with an intention to murder the king and his council; for these reasons, his majesty thought that town an improper place for the seat of justice, and therefore had ordered the lords of session, the sheriffs, and others of the civil list, to leave Edinburgh, and repair to such places as should be appointed, commanding all noblemen and barons to retire to their respective houses, and not to presume to meet, either there or elsewhere, without leave from his majesty."

654.

*The minis-
ters endeav-
our to re-
assure the
faction.*

This lively motion of the government proved a serviceable effort, and gave the cause a turn. The people now began to cool in their ferment, and grow sensible they had gone too far. But the ministers scorned to relent; bore up with their former resolution; did their utmost to keep the noblemen and barons together; and moved to send into the country and reinforce themselves. To this purpose an association was drawn up, and signed by some few. When it was put to the common council, they made a civil excuse; and thus the instrument did little business. Notwithstanding this disappointment, the courage of the ministers was not to be baffled. Several of them at a debate moved for excommunicating the lord president of the council, and the lord advocate; but it was at last resolved to leave this censure to the assembly: that by being issued from thence, it might be executed with greater force and solemnity. In the mean time, to amuse the people, and

keep them from recovering their understandings, a fast was proclaimed through the city, and sermons appointed in all churches. ELIZABETH.

One Welsh, preaching in the cathedral, and taking his text out of part of the letter to the angel of the Church of Ephesus, railed hideously upon the king. He said, "he was possessed with a devil; and that one devil being put out, seven worse were entered in his room; and that the subjects might lawfully rise and take the sword out of his hand." This wretched assertion he endeavoured to make good, by the instance of *Welsh's treasonable sermon.*
Rev. ii. Id. p. 430, "a father falling into a frenzy, who, during his distraction, might be seized by the children and servants, and bound hand and foot." "A most execrable doctrine," says archbishop Spotswood, "and directly repugnant to the holy Scriptures. And yet (as this prelate continues) the parallel was well received, and the poison swallowed by a great part of the audience."

The ministers having dispatched a messenger to the lord Hamilton to come and join them, this nobleman at first seemed to promise compliance; but, upon recollection, he went to the court at Linlithgow, and carried a copy of the ministers' letter with him. This letter was treasonable to the last degree; for having set forth the oppression the Church lay under by the malice of some councillors, these extraordinary sentences followed:—"That the people, animated by the word and motion of God's Spirit, had gone to arms; and that the godly barons and other gentlemen that were in town had convened themselves, and taken on them the patrociny of the Church and her cause. Only they lacked a head, and special noblemen to countenance the matter; and since with one consent they had made choice of his lordship, their desire was, that he should come to Edinburgh with all convenient diligence, and utter his affection to the good cause, accepting the honour which was offered unto him." *A treasonable letter sent to the lord Hamilton.*

This letter, written by Mr. Bruce, was signed by him and Balcanquel. This was plain soliciting for a rebellion, and an open revolt from the government; and therefore the king had great reason to draw the sword of justice, and punish the defiance. To this purpose an order was sent to the provost and bailiffs of Edinburgh to commit the ministers; but they,

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GIFT,
Abp. Cant.

having notice given them, made their escape to Newcastle in England. The same day, the town sent some of their body to wait upon the king. Their business was to purge themselves from the imputation of the late tumult, and to offer their submission. His majesty, not allowing any justification, told them that "good words were no sufficient excuse for a misbehaviour of that size; and that he would come to them ere long, and let them know he was their king."

*The burgh-
ers of Edin-
burgh make
their submis-
sion to the
king, and
are refused.*

And now, perceiving the late disorders would not be easily passed over, the provost, bailiffs, and common council waiting on the king, presented him with a very humble petition, and resigned themselves wholly to the award of his majesty and council; protesting, at the same time, that the mutiny was neither concerted nor countenanced by them. This protestation having too much the air of an apology, might probably make their submission be refused. What reserves of punishment the king might have, is uncertain; but some noblemen advised him to demolish the town, and erect a pillar to mark the rebellion. Others suggested milder revenge; but at present nothing was resolved. Not long after, the queen of England sent him a softening letter, and interceded for gentler punishment. The king was glad of the colour of so considerable an intercession, to come off from extremities with a saving of his honour. For he was far from a vindictive humour, and desired no more than to quiet the people, and secure the government. But of this more afterwards.

Feb. 23.

The king, having made the faction begin to bend, ordered a general assembly to be convened at Perth. For now it was thought the juncture presented fair for correcting the disorders in the Church, and bringing off the ministers from the encroachments upon the State. And that they might be the better apprized of the matter they were to go upon, the king ordered some articles to be drawn up and printed. In his preface his majesty appeals to God, that he had no intention to disturb the Church, by putting intricate questions, nor to stretch his regale to an arbitrary and tyrannical excess. His meaning was only to have some doubts and ambiguities cleared, which might otherwise prove occasions of dispute; that by a fair discussion of controversies of this nature, a lasting harmony between himself and the ministry might be settled.

The articles were fifty-five in number, and drawn up by way of question, as follows :—

ELIZABETH.

1. May not matters relating to the external government of the Church be argued without any prejudice to points of faith, and the fundamentals of religion? *Questions relating to the government and discipline of the Church published by the king.*
2. Is the authority of making orders for the government of the Church solely vested in the king, or in the pastors; or have each of them a joint share? If the latter, in what manner are they to combine their respective powers for this purpose?
3. Is not the consent of the greatest part of the parishioners, and likewise of the patron, required for the election of pastors?
4. Is it lawful for the pastor to quit his flock against their inclination, provided he has the consent of the presbytery for going off? And for what reasons ought the presbytery to give their consent?
5. Is it lawful for a minister to make use of any application foreign to the edification of his own flock? Or is the whole world within the charge of every particular pastor?
6. Is he a lawful minister who had no imposition of hands at his ordination?
7. Is it lawful for pastors to name privy-councillors, magistrates, or any others in the pulpit? or to point them out so plainly, that the people may understand them by the description? and are such marking strokes of satire to be used without notorious immorality, and private admonition before given?
8. What vices and irregularities are those which will justify the ministers in reprimanding a magistrate in the pulpit, when either absent or present?
9. Is the application in pulpits lawful, which stands only upon rumours and reports, suspicion or supposition, the probability or improbability of events? The reason of this question is, because the grounds of such application may be all false, and by consequence the inference made upon them? And therefore should not all applications of disadvantage be founded on uncontested fact, and notoriety of misbehaviour?
10. Is the text read in the pulpit to be the basis of the doctrine, and give measures to the sermon? Or may any discourse, though never so remote, be grafted upon any text, so that the naming it is only matter of form?

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11. May a private pastor exercise any branch of jurisdiction without the consent of most part of his parochial session?

12. Is his session a competent judge of his doctrine?

13. Should not all those who have a right to vote in the session, and particularly the moderator, be annually chosen?

14. May the session be fairly chosen by ministers only, without the consent of the whole congregation?

15. Why should not elders and deacons of particular sessions be elected to hold their offices *durante vita*?

16. How many presbyteries will serve for the whole country, in what places are they to be fixed, and of how many pastors is every presbytery to consist?

17. Are the elders and deacons of every parochial session to vote in presbyteries, or does this privilege belong to none but pastors?

18. What is the business proper to the jurisdiction of the presbytery, and what cases are too big for the cognizance of particular sessions?

19. What should be the forms of process in libelling and citation? In what manner are the trials to be managed, and what evidence is requisite at parochial sessions and presbyteries?

20. What causes are those which belong to the cognizance of synods, and which presbyteries are not to meddle with?

21. Should not all those who have a right of suffrage in presbyteries or parochial sessions, have likewise a vote in synodal assemblies?

22. Should every university or college, or every particular master or regent, within such societies, have a vote in presbyteries and synods in the town and precincts where they live? And in what manner and proportion are they to vote in general assemblies?

23. Is it lawful to convene a general assembly without a licence from his majesty, since he cannot be denied the character of a pious and Christian magistrate?

24. Must the reasons for calling a general assembly be drawn from business relating to the whole Church?

25. Have not all men of orthodoxy and learning a right to vote in general assemblies?

26. Is every particular pastor obliged to go to the general assembly? Or are commissioners from every particular session, presbytery, or synod, sufficient for this purpose?

27. Who are the proper electors of commissioners from every shire to vote in the general assembly?

28. What number of persons is necessary for completing a general assembly? And how many of that number are to be pastors?

29. May any decree pass in the general assembly without his majesty's consent?

30. Are two-thirds of the members necessary to the validity of a judicial sentence, to prevent the inconvenience of a slender majority?

31. Has not every ecclesiastical court subordinate to the general assembly, a limited precinct, beyond which they have no authority, either for citation or jurisdiction?

32. Which is the ordinary ecclesiastical court for taking cognizance of his majesty's household and council, considering this family is ambulatory, and removes with his majesty to any part of the realm?

33. Should there be libelled præcepts, containing the cause of the citation and certification of the censures before all ecclesiastic judgments? Or should they answer *super inquirendis*?

34. Have inferior courts authority to summon any to compeer before the superior? Or ought people to be summoned only by that court where they are bound to make their appearance?

35. Are not private admonitions, with reasonable distances of time, to go before all manner of citations?

36. What intervals are necessary between every private admonition, between the first citation, and the day for appearance between the citation and the last admonition? And whether are these distances of time to be the same in every ecclesiastical court? or what is to be the difference?

37. How many citations disregarded amount to contumacy?

38. Is single contumacy, without the proof of a crime, a sufficient ground for excommunication? Or does any crime abstracted from contumacy deserve such a censure?

39. Are there not different kinds of spiritual censures; such as "Prohibitio privati convictus," or forbearing close correspondence, private forbidding the person coming to the holy eucharist; and, lastly, a public delivering him over to Satan?

40. Are the presbyteries judges of every thing that implies

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slander? And if so, does not the next consequence make them judges in almost all causes whatsoever?

41. Are thieves, murderers, usurers, and people that do not pay their debts, to be excommunicated? If so, why is not this spiritual curse discharged against the highland and border thieves? Why are not tradesmen and usurers, that forswear themselves, put under this censure?

42. Must there be any appeal from a lower to a higher court? If there is, ought not the sentence to be suspended, hanging the appeal?

43. Should not copies of all processes and acts of court be transcribed for the parties concerned?

656. 44. Is summary excommunication, without admonition and citation, warrantable in any case?

45. Have any others, excepting pastors, a vote to excommunicate?

46. Has every ecclesiastical consistory the same power for excommunication?

47. Is it lawful to excommunicate those Papists who never professed our religion?

48. Is an orthodox and uncensured person obliged not to cohabit with his wife when excommunicated?

49. Is it not reasonable, that, before any letters of horning¹ are granted by the lords of the session upon process of excommunication, the party or criminal should be cited to hear them granted? The reason is, because, if any exceptions could be urged against the Church censure, the horning or outlawry might be stopped?

50. Has not a Christian king power to reverse a notoriously unjust sentence of excommunication?

51. May any council, society, or university, be excommunicated?—for what cause, by whom, and in what manner?

52. When the pastors fail in their duty, or when one spiritual jurisdiction enroaches upon another, or when any other failure or breach happens in the Church, is it not within the authority of a Christian king to rectify such disorders?

53. May public fasts be proclaimed in a Christian kingdom without the sovereign's command?

¹ Letters of horning are warrants for charging persons in Scotland to pay or perform certain debts or duties, probably so termed from being originally proclaimed by the horn or trumpet.

54. May any ecclesiastical consistory force a man to swear *in suam turpitudinem*; that is, swear to discover such things as must of necessity stick a blemish upon his character? ELIZABETH.

55. Are ecclesiastical courts to take cognizance of anything to the prejudice of property and civil jurisdiction? And is it lawful for the secular magistrate to supersede all such proceedings? Spotswood's
Ch. Hist.
p. 434.

The Presbyterian ministers were not a little embarrassed with these queries: for most of them supposed abuses in the discipline, and were plainly levelled against them. Now, to find the Church government mooted, which had been all along pretended no less than part of the Gospel, was a severe mortification. To prevent the progress of this controversy, or any unserviceable impressions upon the people, all imaginable precaution was used, and several private consultations held for this purpose. The king, on the other side, was not negligent to make an interest with the members of the assembly; and, being informed the ministers in the north parts were most likely to be gained, he despatched sir Patrick Murray, a gentleman of his privy-chamber, to that quarter. Sir Patrick moved their publishing an abhorrence of the late treasonable practices at Edinburgh. He was likewise, amongst other things, to insist on their signing an instrument, recognizing his majesty's supreme authority for trying all treasons, seditions, and other civil and criminal matters; and for calling ministers to an account for all discourses, delivered in pulpits, schools, or elsewhere, which implied any of the aforesaid crimes. *The king's
message to
the ministers
in the North.*

The northern ministers replied, "that, as to the tumult at Edinburgh, they were unacquainted with what share the town-ministers might have in it; and, not being within their jurisdiction, they had no authority to censure them. But, in general, they made no scruple to say, that whoever was found guilty of that insurrection ought to suffer as traitors; and, if they were ministers, they deserved to be doubly punished."

When the general assembly met, the king's commissioners laid the following articles before them, letting them know that his majesty was contented to refer the decision of the greatest part of the questions to a farther opportunity, and would *A general
assembly at
Perth.*

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GIFT,
Abp. Cant.

be satisfied with an affirmative resolution in the following points :—

*The articles
insisted on
by the king.*

1. That it is not unlawful, either for prince or pastors, to propose reformation in the external government and discipline of the Church, provided it is in things not essential to salvation, nor expressly determined in Scripture.

2. That, since the civil administration belongs properly to the king and council, and is by no means included in the function of an ecclesiastic, for this reason no ministers should meddle with state matters in the pulpit, or quarrel with the constitution; but if any part of the government seems to bear hard upon religion, they should make their complaint to the king and council.

3. That no ministers shall take the liberty to name people in the pulpit, or paint them out in an equivocal description, unless the crimes happen to be notorious; and that the proofs allowed to make a crime notorious, must be either the persons flying from justice, or the verdict of a jury, or excommunication.

4. That every minister shall be obliged to confine his application to the edification of his own parishioners, and not to run out into reflections in which they are no ways concerned.

5. That every presbytery be commanded to examine the doctrine of their ministers, and take care to keep themselves within their bounds.

6. Summary excommunications were never to be used; and that three lawful citations, of eight days' interval betwixt each of them, should precede the sentence.

7. That no session, presbytery, or synod, should exert censures upon any persons out of their precinct; and that, in case they stretched their jurisdiction farther, their proceedings should be of none effect.

8. That all summonses should assign particular reasons and crimes, and not run generally *super inquirendis, quod est mere tyrannicum*.

9. That the ministers should hold no meetings without his majesty's knowledge and consent, excepting parochial sessions, presbyteries, and synods.

10. That no ministers should be settled in the principal boroughs, without the consent of his majesty and the congre-

gation; and that this order should immediately take place at Edinburgh.

ELIZA-
BETH.

11. That the rest of his majesty's questions may sleep and lie uncensured till the next general assembly; and that the Church consistories take cognizance of no causes but purely such as are ecclesiastical.

12. That seven or eight discreet ministers may be commissioned to argue upon the remaining questions when opportunity shall serve.

657.

Idem.

Some of these articles being demurred to at first, the king required the assembly to attend him at the convention of the estates. And here his majesty, making a speech, told them, amongst other things, that he claimed nothing more than what belongs to every Christian king,—that is, to be "*custos et vindex disciplinæ*, to guard the canons, and provide for the execution of discipline." In the close, he desired to hear what reasons they had to urge against the twelve articles.

Upon this, Mr. Thomas Buchanan, pursuant to his commission, made his protest in the name of the assembly, "That their coming thither was only in obedience to his majesty, and to hear what was propounded: it was not to submit the business of the Church, either with respect to doctrine or discipline, to the cognizance of the estates, or to incorporate themselves with that secular body; and, therefore, he desired they might have leave to return to the place of their assembly, and there debate and determine upon the points in question, and, that their resolutions might be governed by the Word of God and a good conscience,"

*The Church's
protestation.*

This protestation being admitted, Buchanan returned his majesty thanks for his affection to the Church, and the care he expressed for redressing things amiss in so gentle and condescending a manner. After this, offering the assembly's exceptions to the articles proposed, he added, they were ready to be farther instructed. This compliance brought on a new conference, which ended in the following agreement:—

1. That it is lawful for his majesty, by himself or his commissioners, and likewise to the pastors, to propose in a general assembly what questions they desire should be resolved, or what things they would have reformed in the external government of the Church.

*Several ar-
ticles agreed.*

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Abp. Cant.

2. That no minister shall be allowed to remonstrate against his majesty's laws or administration, till by the advice of his presbytery, of a synod, or general assembly, he has applied to the king for redress, and reported his majesty's answer.

3. That no man should be named in the pulpit by way of invective, excepting the misbehaviour happens to be public and notorious. As to the notoriety of the fact, it is defined in the manner above-mentioned.

4. The answer to the sixth article above-mentioned was postponed till the next general assembly. However, all summary excommunications were to cease in the mean time.

5. The seventh article was likewise to be referred to the next general assembly. The rest of the articles were agreed in the terms propounded by the king.

This year, John Lesley, bishop of Ross, departed this life at Brussels. Notwithstanding his dying in a different communion, archbishop Spotswood gives him an honourable character for his loyalty to the late queen of Scots. He commends him likewise for his History of Scotland, written in Latin, and states that this performance was a proof of his learning and judgment. Mr. David Lindsay, minister of Leith, was preferred to that bishopric the year following. And thus it appears, that, notwithstanding Presbytery was the regnant religion, yet the title of bishop was still continued upon some sees.

To return to England: this year, Richard Fletcher, bishop of London, departed this life. He is said to have taken the see of Bristol upon terms of compliance, closed with foul proposals, and almost secularized the see by letting leases upon inconsiderable rents reserved. He likewise mismanaged in the same kind upon his translation to London.

John Coldwell, doctor of physie, and bishop of Salisbury, died about the same time. He proved a very unfortunate prelate to the bishopric. Sir John Harrington observes, that, in this reign, it was the method of some courtiers to look out for churchmen unfurnished with merit and honesty, and prefer them as tools to their avarice. Coldwell happening to be thus qualified, sir Walter Raleigh made use of the opportunity, and snapped Sherborn-castle, with the manor, park, &c. To make his design bear, he solicited queen Elizabeth to give way to the alienation. He knew she had often been surprised at

Harrington's Short View, &c.
Coldwell, bishop of Salisbury, his death and mismanagement.
Harrington's Short View, &c.
p. 23.

that quarter. Having got over this difficulty, the remaining part was easy enough : for Coldwell, either out of cowardice or covetousness, seems to have resigned without struggle. But, notwithstanding sir Walter's gaining his point, it was firmly believed a coal stuck to the flesh snatched from the altar. Sir John Harrington makes no scruple to report, that the "judgments of God were manifest" on both of them. The bishop, who, I hope, repented his bargain, died a beggar ; and, as for the knight, it was thought this forbidden seizure overlaid his prosperity, hung a weight upon his fortune, and made him sink with his sacrilege¹.

ELIZABETH.

Id. p. 89.

I shall begin the next year at Edinburgh. The burghers, for the late insurrection and abetting the 'factious ministers, had been proclaimed rebels ; but now, upon their humble submission, they were received into the king's protection. It was at the intercession of the noblemen they were thus restored. However, the pardon was not without conditions of restraint, and articles for better behaviour.

The town of Edinburgh proclaimed rebels for abetting the ministers, and pardoned.

Spotswood, Ch. Hist.

Soon after, the seditious ministers were permitted to return, but not suffered to preach in their parishes. At the breaking up of the last general assembly, the king appointed another, to be held at Dundee, in May following. The main business of this meeting was to argue upon the questions undecided in the last. And here things were settled both to the satisfaction of the king and the Church. For instance, the question being put touching the "convening of pastors with his majesty's consent," it was declared that the resolution in the affirmative was to reach all assemblies, either general or particular, "authorized by his highness's laws, and having warrant in the Word of God." On the other side, touching the furnishing boroughs with ministers, the king agreed, that, when the assembly should think it necessary to fix a minister in any town, he would either give his consent, or a sufficient reason for his refusal. These preliminaries being settled, the following questions were thus determined :—

A. D. 1597.

An assembly at Dundee.

1. Whereas, before the concluding any weighty business, his majesty expects to be applied to for his advice and approbation.

The principal remaining questions

¹ Collier's censure on sir Walter Raleigh is perhaps too severe. Our Saviour's remark respecting those on whom the tower in Siloam fell, should make us hesitate before we aggravate our neighbours' faults, in order to account for their misfortunes.

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GIFT,
Abp. Cant.

*settled be-
tween the
king and the
assembly.*

The assembly are very willing his majesty should interpose in all important affairs transacted by the Church: with this proviso, that business formerly settled should not be re-examined and put to the question.

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2. That the form for ordaining ministers shall be uniform, and none pass without imposition of hands, and being tied to a particular congregation; and that those unordained shall not be permitted to preach in private houses, unless upon urgent necessity, and where regular ministers cannot be had; and, lastly, that especial care shall be taken they do not ramble from their business, and fly out into foreign application.

3. That no minister shall exercise any jurisdiction, either in making constitutions, or forming processes, without the concurrence of his session, the presbytery, synod, or general assembly.

4. That no session shall be elected without the consent of their own congregations.

5. That sessions, presbyteries, and synods, shall keep close to forms and stated regulations in their proceedings; and that the practice of lower consistories in this point shall be tried by superior courts.

6. That in the exercise of the word or liberty of prophesying, for which ministers meet, no application shall be used.

7. That in matters of great consequence, where the question is put, and the majority rises only two or three votes, nothing shall be concluded till farther debated; and here those who are on the negative side are to give a reason of their dissent.

8. That presbyteries shall not concern themselves with any business not uncontestedly within ecclesiastical cognizance. That this practice shall be uniform through the whole kingdom.

9. That no copies of processes and acts shall be transcribed at the instance of the parties concerned.

10. Summary excommunication shall cease; and in great crimes, after public notice, the offender shall be barred the benefit of divine service and sacraments, and avoided in conversation.

11. That when his majesty shall write to any presbytery to desire them to stop their process, as being prejudicial to civil jurisdiction, or private property, they shall desist till the crown is satisfied.

The main questions being thus settled, it was thought proper to waive discussing the rest, and give a general commission to some of the best distinguished ministers, for transacting all affairs relating to the interest of the Church. The persons pitched on were Mr. David Lindesay, Mr. Thomas Nicholson, Mr. Robert Pont, Mr. Robert Rollock, Mr. Alexander Douglas, Mr. George Gladstaves, Mr. Patrick Galloway, John Duncan, Mr. Patrick Sharpe, Mr. James Melvil, Mr. William Coupar, and John Clapperton. These, or any seven of them, were authorized to attend his majesty when required, for settling ministers in the towns of Edinburgh, Dundee, and St. Andrew's; in the king and prince's family; and in any other Churches of the kingdom. It was likewise part of their business to address the king, to represent their grievances, and offer their advice to his majesty in every thing that might be serviceable to the Church.

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Commissioners appointed by the assembly for the Church.

Upon the recess of the assembly, these commissioners held a visitation at St. Andrew's. And here, the elders and deacons of Blake's Church being summoned before them, they all took their oaths that the articles charged upon him before the privy council were true. The university in this town, where Mr. Andrew Melvil had been rector for several years, was much out of order; the revenues were ill managed; the exercises neglected; and the divinity lectures were turned into politics. The questions commonly discussed were, Whether elective or successive kingdoms were the best forms of government? What was the extent of the regal authority? And whether kings might be called to account for mal-administration, and deposed by the estates? To prevent the mischiefs of such licentious disputes, the king clapped them under a restraint, and prescribed every professor the argument he was to go upon.

A reformation in the university of St. Andrew's.

In the latter end of the year, a parliament was held at Edinburgh. Amongst other articles presented by the commissioners of the Church, one was, "that the ministers, considering they represented the Church, and the third estate of the kingdom, might be admitted to sit and vote in parliament, pursuant to their ancient privileges." The king, thinking the request highly reasonable, undertook the cause, and procured the passing a bill. The preamble of the act declares, "That

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GIFT,
Abp. Cant.

*Statute for
restoring
bishops to
their right of
voting in
parliament.*

the prelates have all along represented one of the estates of the realm ; and that this privilege has been preserved through the succession of his majesty's predecessors without lessening or disadvantage." By the body of the statute, " All such pastors and ministers as his majesty shall please to promote to the office, title, and dignity of bishop, abbot, or other prelate, shall at all times to come have a vote in parliament with the same freedom and significancy as any other ecclesiastical prelate had at any time formerly ; and that all bishoprics now void, and undisposed of by his majesty, shall be bestowed upon none but actual preachers and ministers in the Church ; or to such other persons as shall be found qualified to exercise the function of a preacher and minister ; and who, upon their promotion to the said bishoprics, shall engage to perform the office of a pastor.

" And as to the stating and adjusting the office and authority of these bishops in their spiritual government, the parliament refers the regulation of this matter to the king and the general assembly ; provided nothing be done in the mean time to the prejudice of the jurisdiction and discipline of the Church established by act of parliament."

By another statute it is enacted, " That two thirds of all prelacies now void, or which shall happen to be void, and all issues, profits, and emoluments thereof, *sede vacante*, shall be vested in his highness and successors, for the support of his court and government, and shall not be bestowed upon any subject by way of grant, pension, or other disposition whatsoever."

To go back a little to England. In October this winter the parliament met at Westminster, in which there were two acts passed relating to the Church. By one of them the deprivation of the bishops who refused to comply with the Reformation is confirmed ; and all archbishops, bishops, and deans, promoted by the queen to their respective dignities and stations, from any time since her accession to the throne to the 10th of November, in the fourth year of her reign, are declared lawfully constituted. The reason of making this act was, as the preamble sets forth, because the parties deprived made secret appeals, and used other clandestine methods to support their claim and pretensions.

James 6.
parl. 15.
cap. 235.

James 6.
parl. 15.
cap. 246.
*A parliament at
Westminster.*

39 Eliz.
cap. 8.

The other act, in which the Church is concerned, was, “the establishment of the bishopric of Norwich, and the revenues belonging to it, against a pretended concealed title.”

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To let the reader better into the meaning of this statute, sir Edward Coke observes, that certain concealers, ‘templorum helluones,’ as he calls them, produced letters-patent of concealment, bearing date August the 2d, in the twenty-seventh year of this reign: and that William Redmayn, doctor in divinity, and bishop of Norwich, caused one Hammond to take an estate to him and his heirs, from the said concealers, of all or the greatest part, of the monastery of St. Bennet’s de Hulmo, belonging to the bishopric. Sir Edward Coke, then attorney-general, foreseeing the damage the Church of Norwich might receive by this management, discoursed with the bishop, and prevailed with him at last to agree to the bringing in a bill for establishing the bishopric and the revenues. This bill, as may be collected from what this learned gentleman reports, was drawn and solicited by himself, and which I mention to do justice to his memory.

The statute sets forth, that in the twenty-seventh year of the reign of king Henry VIII., it was enacted, “That such person as should then next after be bishop of the see of Norwich, being then void, and his successors, bishops of the said see, should have and enjoy, united and knit to the said bishopric, the monastery of St. Bennet’s, in the county of Norfolk, and all the possessions of the same.—That certain persons, of a covetous and greedy desire to enrich themselves, have, to the great deceit of her highness, to the impeachment of the said bishopric, and to the unjust disturbance of the bishops of the said see, their tenants and farmers, obtained of her majesty (little suspecting their evil intention) a grant in fee-farm, by her letters-patent, of all or most part of the possessions of the said bishopric, under the name of a cottage, and of all lands, tenements, tithes, and hereditaments, with the appurtenances, within the deaneries of Flegg, Brook, Waxham, Blowfield, Repes, and Deepwade, or any of them, in the county of Norfolk, belonging to the said monastery of St. Bennet’s, of Hulm.” After this preamble the statute enacts, “That the surrender of the hospital of St. Giles, in Norwich, by William Rugge, bishop of Norwich, and Nicholas Shaxton, master of the said hospital, and the brethren of the

Coke’s
Institut.
pt. 4.
fol. 257.
*An act for
the establish-
ing the
bishop of
Norwich,
&c.*

WHIT-
GIFT,
Abp. Cant.

same, made to the late king Edward VI., in the first year of his reign, shall be taken, construed, and adjudged, not to have conveyed to the said king, his heirs and successors, any manors, lands, tenements, or hereditaments whatsoever, of the said late monastery of St. Bennet's, of Hulm, or of the said bishopric, or belonging thereunto, or to either of them: but the same, and every part thereof, shall be deemed and adjudged to have remained in the said William, then bishop of the said see, and shall be adjudged to remain in the now bishop of the said see, and his successors, for ever, as if the said deed and surrender had never been made."

39 Eliz.
cap. 22.

By the way, the method of these concealers was to inform the crown that the subject had usurped upon it, either by keeping some part of an estate surrendered to the crown, or by extending grants from the crown, to lands not comprised within the conveyance. Upon this information, the concealers procured patents, or conveyances of such pretended or concealed estates. To make their patent pass the better, they commonly had only some little part of the estate inserted, with other general words, which reached to a great deal more. These concealers usually quarried upon the Church, as finding a conquest much more feasible at that quarter. And, as they struck at the bishopric of Norwich, so they were very near carrying off the estates belonging to the deanery and chapter of that cathedral. Of this attempt sir Edward Coke gives a full account in the third book of his Reports. I shall give the reader the substance of the argument.

*The conceal-
ers endeavour
to seize the
estate of the
deanery and
chapter of
Norwich.*

King Henry VIII., by his letters-patent, bearing date the 2d of May, in the thirtieth year of his reign, turned the priory and convent of the cathedral of Norwich into a deanery and chapter; and by the same letters-patent discharged the prior and convent from wearing the habit, and observing the rule; and erected the dean and prebendaries into a corporation, and conveyed the manors, lands, &c. to them and their successors, which formerly belonged to the prior: and, over and above the patent, granted them the privilege of being a chapter to the bishop of Norwich, and his successors. Upon perusing the instrument of the foundation, and some other ancient deeds belonging to the priory, a question was put, whether the king, or Herbert, first bishop of Norwich, was the founder. And here it was taken for granted that Herbert

was the founder. Afterwards the said dean and chapter, by their deed enrolled, surrendered their church, and all their estates, to king Edward VI., in the second year of his reign. The king, in the same year, incorporates them again, “per nomen decani et capituli ecclesiæ cathedralis sanctæ et individuæ Trinitatis Norwici ex fundatione regis Edwardi Sexti.” Afterwards the king, in the same year, grants them back their church, and all their estates, (except certain manors, &c.) which were conveyed to them and their successors, by the name of dean and chapter of the cathedral of Norwich, omitting these words, “ex fundatione regis Edwardi Sexti.” Now one William Downing, and some other indigent persons, endeavouring to repair their fortunes by the ruin of the deanery and chapter, pretended that the cathedral church, and all the above-mentioned possessions, were concealed from the queen, and that they were granted to them (though this grant was drawn in general and obscure words) in letters-patent of concealment. And that these estates were concealed from the crown they endeavoured to prove.

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This case argued by attorney-general Coke, with the resolution of the lord-keeper and judges.

1. Because the converting the priory and convent into a deanery and chapter was void: and that the old corporation subsisted in law, till all the monks were dead. And, after the decease of all the monks, which happened in the eighteenth year of the reign of queen Elizabeth, all the estates belonging to the convent were vested in the queen, pursuant to the statute of the 31st of Henry VIII. cap. 13.

2. Granting the translation, as the Report calls it, was good, yet by the surrender made to king Edward VI., the king was seized of all their possessions; and the granting them back above-mentioned was void by the misnomer of the corporation of the dean and chapter; that is, because of the omission of these words, “ex fundatione regis Edwardi Sexti.” Now this being a case of great concern, and the queen finding herself surprised by these concealers, referred the consideration of this matter to sir Thomas Edgerton, lord-keeper; to Popham and Anderson, chief-justices, and to Periam, chief-baron. And thus at York-house, belonging to the lord-keeper, the case was argued by the concealers’ counsel. The substance of their objections and arguments was to this effect:

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“First, They granted that Herbert, formerly bishop of Norwich, was the founder of the priory. And from hence

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they infer, that since the founder was not a party to the translation of the priory and convent into a deanery and chapter, the translation was void. And to prove that the founder of a priory has such an interest in the house as to make his joining necessary, they cited several year-books, and other authorities, too long to mention. But as to this point, attorney-general Coke replied, First, that if the king was the founder, as it appeared he was by the foundation-charter, and other records, that then the case was out of all question. But admitting the bishop was founder, the translation was good notwithstanding; for it is clear, by old law-books, that it was in the pope's power to discharge a monk, or any other religious person, from his profession; and by consequence, by the 25th of Henry VIII. cap. 21, that king was empowered to dispense thus far, and accordingly he actually disengaged the prior and monks from their rule and profession, and turned them into a dean and chapter; and that this translation was legal, he proves farther from "Dyer's Reports," and from an act of parliament in the reign of king Harry VIII. not to mention other authorities. But granting this translation was imperfect or void, upon the score of the objection above-mentioned, or for any other reason, yet the 35th of Elizabeth, cap. 3, supplies such defects, and makes it perfectly good. And to show the statute comes full to the case in hand, and takes all objections away, the words run thus:—'All letters-patent made, &c. for the erection, foundation, incorporation, or endowment of any dean and chapter or college, were and shall be reputed, taken, and adjudged to have been good, perfect, and effectual in law, for all things therein contained, according to the true intent and meaning of the same: any thing, matter, or cause to the contrary thereof in anywise notwithstanding.' And thus all those who pretend title by any letters-patent of concealment are for ever barred all claim and pretension to any estate belonging to the deanery and chapter.

"Secondly, It was argued by the concealer's counsel, that supposing the translation was good, yet the dean and chapter had no estate, or right in the estates above-mentioned; for by the surrender of their Church, and all their manors, lands, and possessions to king Edward VI., that king was seized of them in fee, until he reincorporated them by the addition of the dean and chapter of the cathedral Church of the holy and

11 Eliz.
Dyer,
fol. 280.
Corbet's
Case.
33 Hen. 8.
cap. 29.

undivided Trinity in Norwich, founded by king Edward VI. ; and afterwards, when the king regranted them their possessions by the name of dean and chapter, 'sanctæ et individ' Trinitat' Norwic', these words, 'ex fundatione regis Edwardi Sexti,' were omitted. And here it was urged the grant was void by the misnomer of the corporation : that the name of the founder was material ; and that the omission affected the charter so far as to make it insignificant. To this the attorney-general pleaded that the dean and chapter had an unquestionable estate in the lands and possessions abovementioned, for several reasons.

" First, Granting they had made a surrender of their Church and estates, their corporation would subsist nevertheless, and they would still continue the bishop's chapter. And to set this in a due light Coke observes, that since it was not possible the Church of God should always be free from sects and heresies, it was thought necessary every bishop should be provided with the assistance of a standing council or chapter ; and that, first, for the benefit of their advice in matters of difficulty relating to discipline and controversies in religion ; secondly, to consent to all grants, &c. signed by the bishop, so as to make them of force to bind his successor. For it was not thought reasonable to lay so great a burthen, or to rest so much trust and confidence, in any one person, or to put it in a single man's power to prejudice succession. And here the attorney-general cites several authorities to prove that all the ecclesiastical revenues were originally vested in the bishop ; and that afterwards certain proportions were assigned to the chapter : from whence it follows that the chapter was prior to this assignment, and in being when they had no property. And therefore by common law the bishop is patron of all the prebends, because the estate and revenues belonging to them were originally granted by him. Thus, notwithstanding the dean and chapter happened to convey away their estates, yet they must of necessity remain a corporation, as well to assist the bishop in his function and government, as to give their consent to any grants or conveyances made by the bishop of his temporalities.

But to clinch the matter, and disable all manner of objections, the attorney-general argued, that granting the corporation newly erected by king Edward VI. was good in law, and

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GIFT,
Abp. Cant.

1 Edw. 6.
cap. 3.

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1 Edw. 6.
cap. 8.

Coke's Re-
ports, lib. 3.
fol. 73.
Le Case
del Dean
et Chapter
de Norwich.
D'Ewes,
p. 561.
Townsend's
Historical
Collections,
p. 107.

that their ancient corporation was surrendered. Granting, farther, that the omission of the words "ex fundatione regis Edwardi Sexti," were material, and not merely words of ornament: supposing all this, the king's grant to them was good, notwithstanding this misnomer, as appears plainly by the Statute of Confirmations. The preamble of this act setting forth, "That whereas king Edward VI. had made divers grants, as well to bodies politic and corporate, as to divers and sundry of his loving and obedient subjects, &c. In avoiding of which sundry and many ambiguities have or might be moved for lack of true naming the same bodies politic or corporate." It is enacted, "That all such grants already made, or hereafter to be made, during the king's life, shall be good and effectual, notwithstanding any of the causes or defects abovementioned." After this argument of the attorney-general, the lord-keeper and the justices abovementioned consulting together, came to this unanimous resolution: that in case there was any imperfection in the translation of king Henry VIII. the 35th of Eliz. cap. 3, has given a full relief and remedy to all such defects. Secondly, supposing the corporation of the dean and chapter made by king Henry VIII. was gone and destroyed by the surrender to king Edward VI.; and that the misnomer was material, and no ornamental addition;—granting all this, it was unanimously agreed, that the above-mentioned Act of Confirmation made the king's grant good, notwithstanding such misnomer. And, thirdly, it was resolved by the lord keeper and justices, that the ancient corporation of the dean and chapter continued in being notwithstanding their surrender of the Church, and all the estates belonging to it. And here, as the learned attorney-general observes, though the cathedral of Norwich was principally concerned in these resolutions, yet, by parity of reason, and force of consequence, they may very well serve for securing the titles both in other cathedrals, and several colleges in Cambridge and Oxford. And, for this reason, as well as for the learning of the argument, I have given it the reader.

To return to the parliament: and here I shall only observe that a bill for relieving the poor out of impropriations was twice read in the house of Commons, and after some speeches with and against it, it was thrown out. This parliament was dissolved on the 9th of February following. There was

nothing done by the convocation this session, excepting their granting subsidies.

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In March the next year a general assembly was held at Dundee in Scotland. The king being present, told them he had anticipated the time of meeting, to know their opinion concerning their sitting in parliament; and that they might come to a resolution upon all the circumstances. His majesty desired them to debate this matter through the whole extent.

*An assembly
at Dundee.*

The question was accordingly considered, first by a committee for that purpose; and afterwards it was resolved in the assembly, "that it was lawful for ministers to vote in parliament, and other public meetings of the estates; and that it was expedient to have always some of their body at such conventions, to represent the Church."

Secondly. Another question being put for adjusting the number of those that were to vote for the ministry, it was agreed that the Church representatives should come up to the number made use of in ancient times; that is, one-and-fifty members, or thereabouts.

Thirdly. Touching the election of those who were to serve in parliament, it was resolved the choosing these members belonged partly to the king, and partly to the Church. And because the time would not serve for discussing the remaining points, a commission was given to some members of the presbyteries and doctors of the universities, to attend his majesty when and where they were appointed. This committee were empowered to treat all the heads of this question. And in case they could not come to an agreement, the matter was to be referred to the next general assembly.

A. D. 1598.

Farther, it was found some synods sent over-proportioned numbers to the general assembly. To bar this encroachment, and bring things to a balance, it was decreed, that for the time to come no presbytery should send above two or three representative ministers, at most, to the general assembly: to these, with one baron of the bounds, one commissioner from every borough was only to be added, Edinburgh excepted, which in all public meetings was allowed two.

About three months forward the doctors of the university, and the commissioners of the Church, waited on the king at Falkland; where, after a long debate, the business of the ministers voting in parliament was unanimously agreed. The

*The right,
&c. of mi-
nisters
voting in
parliament
settled.*

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circumstances adjusted were ranged under ten articles. I shall mention some of them :—

The conditions the ministers who sat in parliament were obliged to sign.

1. With reference to the election, it was agreed, that for each prelacy that was void the Church should name six of their body, out of which the king should choose one to serve in parliament; or if his majesty liked none of this number, the Church was to recommend six others, of which number his majesty obliged himself to accept one.

2. That the general assemblies should nominate the person with the advice of the synods and presbyteries.

3. For settling a revenue to support his character, it was agreed, that when the churches of the precinct or diocese were sufficiently provided for, the remainder of the estate belonging to the prelacy or bishopric should be assigned him.

4. For fear his title, revenues, and representing distinction should tempt him to affect dominion, and break through the established parity, there were several restraints thrown in to check him from acting like a bishop. As,—

1. He was not to propose any thing by way of representation at the council-board, convention, or parliament, without express instructions from the Church; neither was he to be passive and silent when any motion was made prejudicial to the interest of his body; and in case of mismanagement in this article, he was to be deprived.

2. He was tied to give an account of the discharging his trust to every general assembly, and to procure their approbation of his proceedings: and here he was to submit to their award without making any appeal, under the penalty of infamy and excommunication.

3. He was to acquiesce in such proportions of revenue as should be assigned him, without encroaching upon the livings of the ministers within his precinct.

4. He was not to commit any waste, or dilapidate his benefice, nor make any leases without the consent of his majesty and the general assembly.

5. He was obliged to discharge every part of the pastoral office in the congregation where he was fixed: and to prevent his rising to any episcopal privilege, his behaviour was to lie under the cognizance of his own presbytery, or provincial assembly: and to their censure he was obliged to resign

himself no less than any other minister that carried no commission.

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6. In the administration of discipline, collation of benefices, visitations, and other branches of ecclesiastical government, he was not to pretend to any more jurisdiction than the rest of his brethren. No claim of this nature was to be made without a particular commission, under the penalty of deprivation. And in case any usurpation of this kind should happen in opposition to the presbytery, synod, or general assembly, whatever was done should be void and signify nothing.

7. At his admission to his representing office, he was to swear and sign these articles, and any other that should be thought necessary.

8. In case he should happen to be deposed from the ministry by the presbytery, synod, or general assembly, he was to lose his benefice, and sit no longer in parliament.

9. That the name of his office might be inoffensive, and put him in mind of his dependence, he was to be called a commissioner of such a place or precinct, provided the parliament and his majesty were willing to pass that title: if not, the general assembly would give him some other distinction. They would likewise determine whether he was to hold his office during life, in case of unexceptionable management, or whether he was only to continue for a shorter term at the pleasure of the Church.

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Notwithstanding the singularity of these conditions, the king gave way to them at present, foreseeing that time would probably bring some remedy, knock off the chains, and give a freer motion.

To return to England: this year, Edward Coke, esq., afterwards sir Edward, and the lady Hatton, relict of sir William Hatton, marrying without banns or licence, Henry Bothwell, priest, rector of Oakover, who married them, and several persons of condition, present at the wedding, were prosecuted in the archbishop's court, and, upon their submission by their proxies, absolved from the censures incurred. The instrument sets forth, "that, by overlooking the authority of the Church, they had all of them fallen under the greater excommunication, and the consequent penalties."

Spotswood's
Ch. Hist.
Attorney-general Coke prosecuted in the archbishop's court for marrying without banns or licence.

See Records,
num. 96.

There is another absolution in the same form, granted to sir Thomas Egerton, lord keeper, and Alice, countess dowager

WHIT-
GIFT,
Abp. Cant.

*Squire tried
for high-
treason.*

of Derby; and another to the earl of Hertford; not to mention the rest in the same register. The registers of the succeeding archbishops have likewise instances of the same kind.

About this time, Edward Squire was tried for treason. To say something of him in a word or two: he was bred an attorney's clerk; afterwards, turning soldier, he went to sea in Drake's last expedition, was taken by the enemy, and carried prisoner into Spain. Here one Walpole, an English Jesuit, got him prosecuted for heresy in the Inquisition. After a great deal of harsh usage and farther menacing, he reconciled himself to the Church of Rome. And now, Walpole, as Squire confessed, pushed him upon a desperate enterprise, told him, that the killing of the earl of Essex and the queen would be of great service to religion; that this might be compassed without danger, only by dropping a little poison on the pommel of the queen's saddle where she rested her hand. Squire consented to this villanous motion, and bound himself, under the most solemn engagements, to secrecy and business. Walpole, as Squire confessed, put the poison in his hands; and, to prevent suspicion, procured him and another a commission, to be sent into England for the ransoming some Spanish prisoners. Soon after his arrival, he practised the directions given him, both upon the queen's saddle and the earl of Essex's chair; but, by the providence of God, the barbarity miscarried. Walpole, as Squire's narrative goes on, suspecting his convert had broken his promise, is supposed to have contrived a revenge. In short, a person was privately despatched into England, to charge Squire with high treason. Being closely examined, and fancying his confessor had betrayed him, he confessed Walpole's suggestion, that he consented to the villany, and made use of the poison pursuant to the directions above-mentioned. However, both at his trial and at the place of execution, he protested, though he had been instigated by Walpole and others to commit the fact, yet he could never master his conscience so far as to do it. Soon after, Walpole printed a vindication of himself, in which he denied, with all imaginable abhorrence, every part of Squire's confession.

Camden,
Eliz.
Oct. 1598.
*Dr. Staple-
ton's death
and cha-
racter.*

This year, Thomas Stapleton, doctor in divinity, departed this life. He was descended of a gentleman's family in Sussex, bred in New-college in Oxford, and was afterwards divinity professor at Douay. Pitt is very large in his commendation,

describes him a man of great penetration and judgment, and a master almost in all sorts of learning. At the king of Spain's invitation, he removed from Douay to Louvain, where he had the divinity chair and several other considerable preferments. He was a famous controversialist, and wrote against Horne, bishop of Winchester, and Jewel, bishop of Salisbury, besides several other tracts.

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Richard Cosins, no less eminent in the Reformation, died this year. He was bred at Cambridge, commenced doctor of law, was made dean of the Arches, and wrote a learned and significant tract entitled "An Apology for Proceedings in Courts Ecclesiastical." In this book he defends the jurisdiction and process of the bishops' courts, and the High Commission, against the exceptions of Erastians and Puritans.

Pitt's de
Illust. Angl.
Scriptor.
Dr. Cosins's
death, &c.

The next year, the king of Scots published his "Doron Basilicon," upon the following occasion. Sir James Semple, a gentleman belonging to the court, transcribed this treatise by the king's order. Having the copy thus in his custody, he gave his old friend, Mr. Andrew Melvil, a sight of it. Melvil, finding the misbehaviour of the ministers exposed, and the discipline described to disadvantage, took several transcripts, and dispersed them. Upon this, a libel or charge was drawn up against the book, and laid before the synod of St. Andrew's, where, after a recital of the exceptionable passages, a question was put, What censure should pass upon the person that had given such instructions to the prince?—for, by the way, the treatise is addressed to prince Henry. It was farther asked in the libel, Whether he could be thought well affected to religion that had suggested such rules for government? Sir Patrick Murray and Mr. James Nicholson, the king's commissioners, finding his majesty struck at in the libel, made inquiry by whom it was exhibited? The whole synod pretending ignorance, the commissioners ordered the doors to be shut, and the ministers' names to be called over, who, being all put to their oaths, swore they knew nothing of the matter. However, the next day, it was found that one Dykes, a minister at Austruther, laid it on the table. This minister, being summoned to appear before the council, and absconding, was proclaimed rebel. The king, thus misreported as disaffected to religion and leaving some unserviceable directions to the prince his son, published the book, which, without question, was the

King James
publishes his
"Doron
Basilicon,"
and upon
what occa-
sion.

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Abp. Cant.

best way to confute the calumny. By this performance, it was plain he had made very useful observations, both upon books and men. The tract is written with a compass of thought and learning, and everywhere distinguished with a predominancy of honesty and conscience. The royal author received the justice of being admired for his virtue and capacity: particularly this book recommended his majesty strongly to the esteem of the English, insomuch that all the discourses then published for maintaining his right to succeed queen Elizabeth did not do him so much service as this product of his own pen.

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Spotswood's
Ch. Hist.
*Hooker's
death, &c.*

This year, the famous Hooker, master of the Temple, who wrote the "Ecclesiastical Polity," departed this life. His character, as to his learning and judgment, has been touched already. I shall only add, that the regularity of his life, the benevolence of his temper, his unaffected modesty, his freedom from the least tincture of pride, were no less commendable than the strength of his genius, and the improvements of his understanding. As for his books of "Ecclesiastical Polity," nothing can be more solidly managed. He has recited the principal objections of the Puritans against the worship and government of the Church of England, gone through the whole argument, and returned a full answer to every exception. In short, he has baffled the Presbyterian cause so effectually, that they have never since been able to appear in the controversy to any purpose. This celebrated divine was born in Devonshire, and died at his parish of Bishopburn in Kent¹.

*The general
assembly at
Montrose
confirms the
agreement at
Falkland.
A. D. 1600.*

In Scotland there was a public order for a new computation in the calendar; and the year which formerly began on the 25th of March, was to be reckoned henceforward from the 1st of January. On the 28th of March a general assembly was held at Montrose, where the king was present. And here, after a long debate, the late agreement at Falkland was confirmed. It was at last unanimously resolved, that a churchman might lawfully vote in parliament and state-conventions; and that there was no inconsistency between the functions of a pastor and a secular judge; though it must be said some few members, being apprehensive their discipline might suffer, were of a different opinion. However, none of them could say the

¹ A noble testimony of the esteem Collier ever evinced for Hooker.

king overawed their votes, or menaced them out of their freedom. On the contrary, they had all imaginable liberty for proposing their own objections, and answering those of the other party. There was nothing forced or hurried; but the cause was argued at length on all sides, and every thing was done in an orderly incompulsive manner. To be somewhat particular, the person elected for this purpose was every year to give an account of the management of his commission to the general assembly; and if his majesty and the assembly thought fit to employ another, he was to acquiesce. There were two other articles added,—“That those churchmen who sat in parliament should have no vote in the general assembly, unless they had a commission for that purpose from their own presbytery.” Secondly, “That ‘*crimen ambitus*,’ or undue soliciting for election, should disable a man for this employment.”

ELIZA-
BETH.

Spotswood,
Refutat.
Libell. &c.
et Ch. Hist.

And now nothing remained but to fill the vacant bishoprics; and here the condition of things was very lamentable. It is true, the sees of Aberdeen and Argyle were full, and furnished two prelates that preached, but the bishoprics were in a manner secularized; the patrimony of St. Andrew's and Glasgow was seized by the duke of Lennox; Murray was swallowed by the lord Spiney, and Orkney by the earl of Orkney; Dunkeld, Brien, and Dunblaine had their titulars. But these, as Spotswood speaks, were not ordinary preachers; by which description, I suppose he means they were Roman Catholics. As for Galloway and the isles, they were so harassed in their revenues, that there was scarcely the face of a bishopric remaining. Ross and Caithness were the only two sees where some part of the lands were left unreformed; and to these prelates Mr. David Lindesay and Mr. George Gladstaves were preferred by the Church's consent. The first was made bishop of Ross, and the other of Caithness.

The ill condition of the sees in Scotland.

Idem.

In August this year the conspiracy of Gowry happened. It was concerted only between the earl and Mr. Alexander, his brother. That which pushed them upon this desperate attempt was, their resentment for the loss of their father, who was tried and executed in the year 1584. But the king being then in his minority, his inclination was plainly overruled in this matter. For his preserving and cherishing the late earl's family was a sufficient proof of his dislike of the proceedings against him. For instance: he restored the eldest son to his father's

The Gowry conspiracy.

WHIT-
GIFT,
Abp. Cant.

Aug. 5.

honour and estate; his brother Alexander was made one of the gentlemen of his bedchamber, and their sister was maid of honour to the queen; and, over and above, the king intended to prefer the earl to some principal post in the administration. But no caressing or kind usage had force enough to make any impression upon the two brothers, or prevail with them to drop their revenge. Their plot was to draw the king to the earl's house at Perth, and murder him there. His majesty being then at Falkland, and going out one morning to hunt in the park, Alexander Ruthven came to him and told him his brother had seized a person with a great deal of gold about him, whom he supposed to be a Jesuit; that he had secured the man in his house at Perth; that he desired the king would please to come thither with all speed, not questioning but that his majesty would receive such information as would make him amends for his trouble. The king, being strongly importuned, promised to be with the earl before dinner, and came at the time appointed. After dinner he was carried into a private room, under pretence of a better opportunity for examining the Jesuit. And now Alexander, locking the door to keep out the king's attendants, told his majesty he must be called to account for his father's death. To be short, he attempted to tie the king's hands. Upon this, they grappled; and the king dragging him to a window next the street, spied the earl of Marr, and cried, "Help!" Upon this, the lords and gentlemen ran to the king's rescue, but found the doors locked and barricaded; however, sir Thomas Erskine, Hugh Herriff, doctor of physic, John Ramsey, a page, and Wilson, a footman, made their way by a back passage. Alexander Ruthven was run through by sir Thomas Erskine, for not giving a satisfactory answer concerning the king. After this, the earl of Gowry, with two or three servants, entered the room where the king was, and with a sword in each hand made a desperate charge upon the small guard. But being upbraided with the murder of his sovereign, he was checked with a sudden remorse; seemed as it were astonished; made a pause; and set the points of his swords on the ground, as if he intended to go no farther. Ramsey, the page, taking the opportunity, drove his rapier through his heart, and killed him outright. The earl's servants, seeing their master fall, made their escape. Sir Thomas Erskine and doctor Herriff received each of them a

slight wound. By this time the lords and their retinue had forced the doors. When they understood what had happened, they fell upon their knees with the king to give God thanks for the deliverance.

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BETH.

664.

But the danger was not yet over ; for the burghers, running to arms, surrounded the house, and cried out, That unless they would give them their provost, meaning the earl Gowry, they would blow them all up with gunpowder. It was with great difficulty that the mob was prevailed with from doing all the mischief in their power : at last the bailiffs, and some other townsmen, being admitted to the king, and informed of the truth of what had passed, satisfied the people, and brought them to temper. And now the mutiny being hushed, the king took horse, and returned to Falkland.

The news of this conspiracy being sent the next day to Edinburgh, the privy council desired the ministers of the town to call their parishioners to church, and return God thanks for his majesty's deliverance. They endeavoured to excuse themselves, as not being acquainted with the particulars of what had happened. To take off this pretence, it was answered, an exact information of every circumstance was not necessary ; their business was only to signify the king had escaped a great danger, and exhort the people to thank God for so merciful a providence. They made a shuffling reply, "that nothing ought to be delivered in the pulpit without precise certainty of the truth ; and that every thing mentioned in that place should be spoken in faith." In short, when no arguments could bring them to their duty, the council made a cavalcade to the Market-cross, where the bishop of Ross gave a narrative of the conspiracy, and closed his discourse with a thanksgiving. The next week, when the king came to Edinburgh, there was a sermon upon the occasion, preached by Mr. Patrick Galloway : and, in November following, when the parliament met at Edinburgh, an act was made for keeping the 5th of August holy-day, as an anniversary thanksgiving¹.

The Edinburgh ministers refuse to give thanks for the king's deliverance.

As to the ministers of Edinburgh, those who refused to concern themselves in the public solemnity for the king's preservation, were ordered to depart the town within eight-and-

James 6.
parl. 16.
cap. 1.

¹ If the facts of the case were as Collier reports them, they prove that these Scotch ministers did not know the value of a good king, and treated God's anointed vicegerent with insult as well as injury.

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GIFT,
Abp. Cant.

*Some of
them recol-
lect them-
selves, and
give satis-
faction.*

Spotswood's
Ch. Hist.

*Clement 8th's
briefs.*

Cambden,
Eliz.
A. D. 1600.

*The Irish
encouraged
to an insur-
rection by
the pope's
bull.*

forty hours, and not to preach, under pain of death, in any of his majesty's dominions. Three of this number, Balcanquel, Watson, and Hall, recollecting themselves, declared they were fully convinced of the truth of Gowry's conspiracy, and willing to make reparation for their former misbehaviour: they were pardoned upon the conditions following. Before they returned to Edinburgh, they were publicly, in the churches assigned them, to declare their belief of the treasonable attempt at Perth, and ask God and the king's pardon for questioning the matter of fact. The next day Mr. James Balfour, another minister of Edinburgh, was pardoned upon the same terms: but Mr. Robert Bruce, refusing to give this satisfaction, was banished, and travelled into France. At the recess of the parliament the king went to Dunfermline, where the queen was delivered of a son, who was christened Charles. This prince, though unlikely to live at first, survived his eldest brother Henry, and succeeded his father in the kingdom of Great Britain.

About this time pope Clement VIII., knowing queen Elizabeth was far advanced in life, sent two briefs into England, to secure the next reign, and recover the interest of his see. One of these was sent to the clergy, and the other to the laity. The substance of them imported a charge "not to admit any person (how near soever upon the line) for king, after the queen's death, unless such a one as would not only tolerate the Catholic religion, but promote it to the utmost of his power, and engage himself by oath, according to the custom of his ancestors, for that purpose." These instructions were delivered with great secrecy, and communicated only to a few: but it is thought the horrible powder plot was afterwards projected upon this encouragement.

In the beginning of this year the kingdom of Ireland was miserably harassed and embroiled: the capital rebel, Tir-Owen, had ranged the length of the island from Ulster to Munster without resistance. At this time there seems to have been a general concert of the Irish nobility to recover their ancient liberty; they having for some time made loud complaints of the hardships they suffered from the English. They were encouraged to this rebellious enterprise by an indulgence sent them in form by pope Clement VIII. The bull was directed to the bishops, the temporal nobility, and commons, of that king-

dom. The pope put them in mind, “how honourably they had formerly engaged with James Fitzgerald, earl of Desmond, and lately with Hugh, earl of Tir-Owen, in defence of their country against heretics: and being informed they were still disposed to venture themselves in the same service, he sends them his apostolical benediction, and gives them the same plenary indulgence usually granted by his predecessors to those who undertook a crusade for recovering the Holy Land from the Saracens and the Turks.”

ELIZABETH.

To proceed: the misunderstandings between the seculars and Jesuits still continuing in England, Bancroft, bishop of London, entertained some of the former, and furnished them with conveniencies to write against their adversaries. This probably was done partly out of a design to keep up the division, and partly to encourage the honester side; for that the seculars, notwithstanding their difference in religion, were men of loyal principles, appears by a paper signed by several of them about this time. I shall give it the reader in their own words:—

See Records, num. 97. Harrington. Cambden. *Bishop Bancroft entertains some of the secular priests, and why.*

“Whereas it hath pleased our dread sovereign to take notice of the faith and loyalty of us her natural-born subjects, secular priests, and of her princely clemency hath given a sufficient earnest of some merciful favour towards us, being all subject by the laws of the realm to death, by our return into our country after our taking the order of priesthood, since the first year of her majesty’s reign; and only demandeth of us for this intended favour, an assurance of the said fidelity unto her majesty’s person, crown, estate, and dignity. We, whose names are under-written, in most humble-wise prostrate at her majesty’s feet, do acknowledge ourselves infinitely bound unto her majesty therefore; and are most willing to give such assurance and satisfaction in this point as any Catholic priests can give unto their sovereign.

A.D. 1601. *The secular priests’ loyal protestation.*

“First, Therefore we acknowledge and confess the queen’s majesty to have as full authority, power, and sovereignty, over us, and over all the subjects of the realm, as any of her highness’s predecessors ever had. And farther, we protest that we are most willing and ready to obey her in all cases and respects, as far forth as ever Christian priests within this realm, or in any other Christian country, were bound by the law of God, and the Christian religion, to obey their temporal prince.

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GIFT,
Abp. Cant.

“ Secondly. Whereas for these many years past, divers conspiracies against her majesty’s person and estate, and some forcible attempts for invading and conquering her dominions, have been made under we know not what pretences and intendments of restoring Catholic religion by the sword; (a course most strange in the world, and undertaken peculiarly and solely against her majesty and her kingdoms, among other princes departed from the religion and obedience of the see apostolic no less than she,) by reason of which violent enterprises her majesty (otherwise of singular clemency towards her subjects) hath been greatly moved to ordain and execute severer laws against Catholics (which by reason of their communion with the see apostolic in faith and religion, were easily supposed to favour these conspiracies and invasions) than perhaps had ever been enacted or thought upon, if such hostilities and wars had never been undertaken. We, to assure her majesty of our faithful loyalty also in this particular case, sincerely protest, and by this our public fact make known to all the Christian world, that in these cases of conspiracies and invasions which hereafter may be made by any foreign prince or potentate for the disturbance and subversion of her majesty’s state and dominions, under the aforesaid pretences and intendments; we will, according to the rules of Christian religion, defend our prince and country from all these violent assaults and injuries. And, moreover, we will not only ourselves resist them as inconvenient means to introduce Catholic religion into our country, but also earnestly persuade lay-Catholics to do the same.

“ Thirdly. If upon any such invasions the pope should excommunicate every one that would not forsake the aforesaid defence of her majesty and the realm, and take part with such conspirators and invaders; in this case we do think ourselves and the lay-Catholics not bound in conscience to obey this censure, but will defend our prince and country.

“ And because nothing is more certain than that, whilst we endeavour to assure her majesty of our dutiful affection and allegiance by this our Christian and sincere protestation, there will not want those who will condemn and misconstrue our lawful fact: yea, and by many sinister suggestions and calumnies discredit our doings with the Christian world, but chiefly with the pope’s holiness, to the greatest prejudice and

harm of our good names and persons that may be, unless we maturely prevent their malice herein ;—we most humbly beseech her majesty, that in this our recognizing, and yielding Cæsar's due unto her, we may also by her gracious leave be permitted, for avoiding obloquy and calumnies, to make known by like public act, that by yielding her right unto her, we depart from no bond of that Christian duty which we owe to our supreme spiritual pastor.

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“And therefore we acknowledge and confess the bishop of Rome to be the successor of St. Peter in that see ; and to have as ample and no more authority or jurisdiction over us and other Christians, than had that apostle by the gift and commission of Christ our Saviour. And that we will obey him so far forth as we are bound by the laws of God to do, and may stand with performance of our duty to our temporal prince, in such sort as we have before professed : for as we are most ready to spend our blood in defence of her majesty and our country, so will we rather lose our lives than infringe the authority of Christ's Catholic Church¹.”

“This paper,” says bishop Bancroft, under his own hand, “was delivered to me by the priests.”
Ex Biblioth.
R. Harley
Armig.

On the 27th of October this year the parliament met at Westminster : at this session a bill against plurality of benefices was brought into the lower house, and read the second time. The passing this bill was opposed by several members : to mention some of them, doctor Crompton wished the laity would lead the way in this pretended reformation ; and that secular men might be restrained from plurality of offices in the first place. He stated that formerly impropriations belonged to the spirituality ; that in past times clergymen being bound to celibacy, might subsist upon less expense : but that now since impropriations are taken from them, and marriage allowed, their revenues are lessened, and their charge increased ; and therefore a single benefice of slender value must be an incompetent maintenance. Serjeant Harris seconded this doctor, and suggested, that this bill could not pass without breaking in upon a custom of the house, which they had constantly observed ; and that was, “not to meddle with any matter which touches her majesty's prerogative :” and that supposing the act should pass, her majesty might grant a dispensation with a *non obstante*. To shew the extent of the prerogative, sir George

A parliament at Westminster. A bill against plurality of benefices.

¹ These Catholics evinced a very excellent spirit of loyalty and patriotism, which we trust will become more and more prevalent among their successors.

WHIT-
GIFT,
Abp. Cant.
Townsend's
Historical
Collections,
&c. p. 219.
234.

Moor, a member of the house of Commons, in his speech to the bill against these monopolies, has these words : “ We know the power of her majesty cannot be restrained by any act : and although we should make the statute with a *non obstante*, yet the queen may grant a patent with a *non obstante*, to cross this *non obstante*.” These assertions were neither censured nor contradicted by the house ; and that there was no great singularity in this doctrine rightly understood, appears by the resolution of all the judges of England about two years forwards ; where, after mature deliberation upon a case proposed, they delivered it as their opinion, “ that the king has power (upon considerations moving him, with respect to time, place, or person, &c.) to grant a *non obstante* for dispensing with any particular person to cover him from incurring the penalty of a statute.” And for this they vouched the authority of their law-books.

Coke's Re-
ports, lib. 7.
Hilar. 2.
Jacob. Penal
Statutes.

As to the bill against pluralities, it miscarried, and therefore I shall look after it no farther. But for fear it might have gone through both houses, archbishop Whitgift (as it is most probable) drew up some reasons to dissuade the queen from giving her royal assent ; I shall transcribe them from the Lambeth manuscript.

The title stands thus :

“ *Reasons against the Bill now exhibited in the Lower House of Parliament, against Plurality of Benefices.*”

666.

*A defence of
pluralities.*

“ It is to be considered, that by the laws now in force, none may have two benefices with cure, above eight pounds (rated in the king's books), but men of especial note and degree : First, such as be of her majesty's privy council, the sons and brethren of noblemen and knights, chaplains to her majesty, to noblemen and bishops, bachelors and doctors of divinity, and other persons of public calling in the realm ; neither may any be non-resident (but upon special respects of great moment), as for the service of her majesty in embassages, and such like ; and for attendance in her highness's house, or in the houses of bishops and great men, or for executing some public office in the commonwealth, or for reading public lectures, or for government in the universities, &c. All which have been permitted as necessary for this Church and State, ever since the first light of the Gospel, being confirmed by divers parliaments since that time, in all the days of the princes that

have favoured the Gospel; yet for the satisfying of the wayward (if that might be) this liberty is of late restrained, so far as our state can well bear, and it is not possible to have the same altered without great inconveniences, as hereafter follow:—

ELIZABETH.

“Inconveniences to the State of the Church.

“1. First, seeing the tenth part of the benefices are not severally competent for the state of a mean person, nor the twentieth part esteemed to be worth thirty pounds *de claro*, (as will be proved,) this restraint will deprive the far greatest part of learned ministers of sufficient maintenance, which hath always been allowed, both by the laws of God and man, not only for necessity, but also for plentiful hospitality.

“2. Inequality of gifts requireth inequality of rewards, which cannot be in our state, (the number of competent livings being so small,) unless pluralities be in some sort admitted.

“3. Yea, the worthiest men shall (for the most part) be worst provided, for the best livings being few, do seldom fall void. And that will make ministers of the meanest gifts equal with the best.

“4. Those that are meet to be employed upon preaching before her majesty, or in other solemn places, or to attend upon synods, or other her majesty's services and public affairs, shall not be able to defray their charges.

“5. It will overthrow the maintenance of learned men, and hospitality in cathedral churches, where not only many poor are greatly relieved, but divers ambassadors and great persons, to the honour of the prince and realm, are often entertained. For seeing the livings in such churches are not able of themselves to sustain that burthen, it is requisite that they have other benefices, and that they may be sometimes absent from them; else both preaching and hospitality there must needs decay. And in the old churches it is gravely provided, that none be residentiaries but such as are of sufficient ability beside their prebend, to the end the state of their place might be better maintained.

“6. The bishops of small bishoprics shall not be able to maintain any tolerable countenance agreeable to their estate, who are chiefly relieved by benefices granted to them *in commendam*.

“7. It is absurd that this bill doth not restrain a layman to

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have divers benefices impropriated, and to serve them by silly curates, and yet doth deny the like liberty to learned divines, who are bound by law and conscience to discharge their duties upon their livings in person, and to place sufficient substitutes in their absence.

“ Hindrance of Learning and the Universities.

“ 1. ‘ Honos alit artes :’ therefore, when the means of preferment is taken from learning, learning itself must needs, in a short time, decay ; for rich men will not set their children to school, and poor men cannot, by reason the clergy shall not be able, for want of maintenance, to help them therein, as before they have done. The best wits will divert their studies from divinity ; divines will be less painful, and not labour to excel ; and so, in short time all will be brought to ignorance and barbarism.

“ 2. If those that have benefices cannot be, in some respect, non-resident, the public readers in the universities, and the masters of colleges, &c. shall want maintenance, unless they obtain livings *sine cura* ; (which are few, and hard to come by ;) so that will drive all ancient men from the universities, which would be very prejudicial and dangerous to the same.

“ 3. By the local statutes of divers colleges, it is wisely provided, that the masters thereof having very small stipends of the house allowed them, should be such as are otherwise furnished with a living for the better maintenance of their countenance and calling ; which cannot be in case they cannot have benefices, and be absent from them.

“ Hindrance of Religion.

“ 1. It will bring the ministry into contempt, consequently religion, when the best part of the ministers in our state shall not be able to maintain themselves competently.

“ 2. The want of such competent maintenance will be an occasion for the ministers to preach placentia, and to feed the humours of those from whom they are driven to seek relief.

“ 3. The greatest number of parishes shall either have no ministers for want of competent living, or those that are very base, contrary to the pretences of the bill. And it were better one sufficient man had the charge of two, than two insufficient of one.

“ 4. If it be hurtful for the commonwealth not to commit

divers offices to one, where there are not divers meet, rather than have the offices unlooked unto; why holdeth not the like reason in offices of the Church and religion, seeing there are not sufficient learned men for the several livings?

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“5. In case the ministers may not be absent, her majesty’s household and the household of great persons shall be destitute of learned divines for the service of God, and deprived of the use of chaplains for the most part, unless they maintain them at their own charge: the want whereof may breed in time irreligiousness in such places.

“6. The bishops shall not have convenient assistance about them of learned men in their houses for deciding matters of religion, which daily do arise and come unto them. Many men of singular gifts, that may profit the Church publicly, shall be tied within the compass of a parish, where there are not sometimes twenty persons.

“It is prejudicial to her Majesty’s Authority and State.

“1. It abridges her majesty’s authority in ecclesiastical causes, whereof dispensations in these cases is one branch.

“2. It diminishes the revenues of the crown, which are augmented by the fees of the court of faculties.

“3. It abridgeth her majesty of the free employment of any beneficed man in embassy, in any council, in wars, or other necessary attendance, unless he leave his benefice.

“4. Her majesty shall be debarred of many means to recompense and prefer such divines as she shall employ in service.

“5. It will greatly diminish the contributions and provision for horse and armour, which the inferior clergy hath heretofore yielded to her majesty in time of necessity. For that hath been almost altogether borne by such as have pluralities; neither could her majesty have had the like in case they had enjoyed but one benefice a-piece.

“6. It abridgeth her majesty’s authority, whereas she may now restrain or enlarge the liberty at her pleasure.

“It is prejudicial to the Nobility and Gentry.

“1. The privileges granted by the statute to the sons and brethren of noblemen and knights (in case they should be ministers) will be taken away.

WHIT-
GIFT,
Abp. Cant.

“ 2. The queen’s council (if happily any be clergymen) shall lose the like privilege.

“ 3. Noblemen can qualify no chaplains for their honour, nor have any in their house for their assistance, but upon their great charges¹.”

Ex Cod.
Biblioth.
Lambeth.

*A bill for
punishing
absentees
from
Church.*

*It is op-
posed, and
miscarries.*

The next thing I shall mention relating to the Church this parliament, was a bill brought into the house of Commons against voluntary absence from church on Sundays. The forfeiture was to be twelve pence each Sunday, which was to be levied by distress upon a warrant from a justice of peace. Mr. Owen, a member of the house, disliked this bill upon two accounts. First, upon the score of the penalty, he observed that there was a severe law already for this purpose; and that the poorest recusant in England was liable to the forfeiture of twenty pounds per month, and therefore the drawing a double punishment upon the same fault was against equity. Secondly, he objected the penal statutes were too numerous without any farther addition. And that if this bill should pass, a justice of peace’s house would, like a quarter sessions, be crowded with a multitude of complainants. It was likewise, in his opinion, a breach upon Magna Charta, for that law gives a trial ‘per pares;’ but by this, two witnesses before a justice of peace were sufficient. This bill was engrossed with some amendments. At the third reading, Mr. Bond made a speech against it. He urged that, if the bill passed, two imputations of ill consequence would be drawn upon the state. First, the inferior clergy would lie under discredit and reproach; and the adversaries would say, they had reformed away their parish, and preached their audience out of the church. Secondly, the bill would imply a strong reflection upon the bishops, and other ecclesiastical governors; it would either suppose them remiss in their management, or else that their authority was in a manner insignificant, and could not come up to the force of a twelvepenny fine. He urged, farther, the real grievances which might be consequent upon the execution; for, put the case, a person absent from the Church service comes to be examined at the quarter sessions, he may sometimes have a reasonable excuse, which, notwithstanding might be very pre-

¹ This is perhaps the most ingenious apology for pluralities and non-residences ever written; yet it is still to be wished that some modification of our ecclesiastical polity should remove these stumbling-blocks of weak brethren.

judicial to discover. And, lastly, he observed, that misunderstandings and breach of charity would necessarily follow upon this bill. For supposing the churchwardens present some, and either connive at, or forget others, what complaints would there be of partiality and disaffection? So that, in short, the home prosecution would be extremely troublesome and embarrassed, and all manner of favour or neglect be productive of complaints and quarrels. The bill, notwithstanding, went on, and being put to the question, the noes carried it out by a single vote, upon which the yeas said the speaker was with them, which would make the number even. Upon this, the next question was, whether the speaker had a voice, which being decided in the negative, the bill was lost. And here the speaker himself owned he was foreclosed from giving his voice by taking the chair; and that by being elected to this post, he was to be indifferent to both parties, and therefore to vote on neither side. Sir Walter Raleigh and secretary Cecil delivered themselves to the same opinion, and the house acquiesced in it¹. This parliament, being the last of this reign, was dissolved on the 19th of December.

ELIZABETH.

The speaker of the house of Commons has no vote.

D'Ewes's Journal of the House of Commons, p. 663. 682, &c.

A. D. 1601.
The convocation.

The convocation met on the 18th of October: the archbishop presiding exhorted the bishops to manage with vigilance and vigour, and be careful to observe the canons passed in the last convocation. And particularly he gave them the following cautions:—

“ First. Not to proceed in court upon apparitors’ suggestions, without churchwardens’ presentment, or other just inquisition.

“ Secondly. That ecclesiastical judges hold no more than one court within the compass of five weeks.

“ Thirdly. That chancellors and officials do not call men to several courts for the same cause.

“ Fourthly. To have bills of presentment but once a quarter.

“ Fifthly. That the curates of non-residents be able persons, and have good allowances.

“ Sixthly. That none but chancellors grant licenses for marriage.”

There was nothing more material done this convocation, excepting the granting of four subsidies, payable in four

¹ In the Commons the speaker has a casting suffrage in case of an equality of votes, and not else, except in committee.

WHIT-
GIFT,
Abp. Cant.

668.

Extract of
Convocat.
Book.

*The secular
priests write
against the
Jesuits.*

years, which grant, according to custom, was confirmed in parliament.

The next year, one Watson, a secular priest, published a book against the Jesuits: it is written in a scholastic way. It is made up of ten quodlibets, as he calls them, with the same number of articles in each subdivision. He draws up a severe charge against the Jesuits for their latitude in equivocation and mental reservation, flies out into strong reproaches, and treats the society with the last extremity of language. The paper war between the seculars and Jesuits ran now as high as ever. The secular priests were much disgusted that Blackwell was put over them for their arch-priest. For this Blackwell, it seems, they looked on as a person at the disposal of Garnet, the Jesuit's provincial. Blackwell's commission being thus contested, he first disabled them in their character, and afterwards got them censured for schismatics and heretics, in a brief from Rome. But the university of Paris declaring for them, this blemish would not stick. In their prints against their adversaries, they spoke very honourably of the queen's clemency, and that, every thing considered, she had all along dealt gently with the Papists. For instance: they proved that in the first eleven years of her reign, not one Roman Catholic was capitally prosecuted for his religion. And that ten years after Pius Quintus's excommunicating bull, and the rebellion under the earls of Westmorland and Northumberland, there were not above twelve priests executed, and even some of these were convicted of practices against the state. And thus matters stood till the year 1580, when the Jesuits made their first mission into England. That these religious, by their disloyalty and treason, embroiled business to the last degree, disserved the Catholic religion, and provoked the legislature to severities against that communion. That notwithstanding this misbehaviour, there were not in the next ten years above fifty priests executed, and fifty-five banished, who had forfeited their lives by law. That afterwards, at the instance of the Jesuit Parsons, there were English seminaries founded in Spain: and from hence, every year, several turbulent priests were dispatched into England. That this Parsons prompted the Spaniard to a second invasion of England and Ireland: that in a printed tract he maintained the Infanta's title to the crown of England: and required an oath of the students of the seminaries, to declare for her. That Holt of

A. D. 1602.

*And charge
them with
disloyalty.*

the same society did his utmost to push Hesketh to a rebellion, and tampered with Cullin, York, and Williams, to kill the queen. And that Walpole, a Jesuit, persuaded Squire to the same villany. And thus the queen, whose opinion it was that conscience ought not to be overborne with rigour and compulsion, was forced in her own defence upon methods of severity: for that without such rugged expedients, the preserving herself and her kingdoms was thought impracticable. As for Parsons, they describe him as a rank incendiary, and one remarkably defective in common honesty. The libels published by the Jesuits against the queen, these seculars charged with downright falsehood, and that the authors are no better than traitors against God and her majesty. And here they argue very commendably: that religion is not to be propagated by insurrections, by fire and sword; but that proselytes are to be gained by persuasion, meekness, and inoffensive behaviour. And lastly, they cautioned the English Papists against sending their children for education to the Jesuits' seminaries: for that these men would make a dangerous impression upon their youth, form them to treason and rebellion, and poison them in their principles.

ELIZABETH.

Cambden,
Eliz.

Notwithstanding these professions of loyalty, the queen and council suspected some latent reserves. A proclamation therefore was published, commanding the Jesuits, and those secular priests who joined them, to quit the kingdom immediately: and that the rest, who appeared more moderate and better disposed, should be gone within two months, unless they would give a satisfactory declaration of their allegiance: and that neither Jesuits nor seculars should return under the penalty of suffering the law¹.

This year Alexander Nowel, doctor of divinity, and dean of St. Paul's, London, departed this life. He was educated in Brasenose-college in Oxford; which house he endowed with two hundred pounds per annum, for the maintenance of thirteen students. He was a person of learning and exemplary life. Dr. John Overal, divinity professor in Cambridge, succeeded him in his deanery.

Feb. A. D.
1602.
*The death of
Dr. Nowel,
dean of St.
Paul's, and
Westphaling,
bishop
of Hereford.*

Herbert Westphaling, bishop of Hereford, a very religious prelate, died about this time, and left twenty pounds per annum to Jesus-college in Oxford.

Godwin de
Præsul.
Angl.

¹ It is clear, by their own showing, that the papalists deserved most of the penalties that Elizabeth inflicted on them; but, as usual, the innocent suffered with the guilty.

WHIT-
GIFT,
Abp. Cant.
*A general
assembly at
Holyrood-
house.*

To go back a little to Scotland: in November last a general assembly met at Holyrood-house, where, amongst other things, it was agreed, that in memory of his majesty's deliverance there should be sermons in all the boroughs every Tuesday, and the fifth of August solemnly kept, pursuant to the late act of parliament. By the way, the parliament not only provided for this anniversary; but enacted the name of Ruthven should be extinguished, the bodies of the earl and his brother brought to Edinburgh, there hanged and quartered, and their heads fixed upon the top of the common prison; this was all executed accordingly, excepting the clause relating to the name of Ruthven, which the king dispensed with in favour of those unconcerned in the plot.

The king having a near prospect of being monarch of the whole island, and resolving to bring the churches of England and Scotland towards an uniformity, prevailed with the assembly to pass an order that marriages might be solemnized without distinction of days; whereas by the rules of the discipline it stood prohibited on Sundays. Farther, before this time the initiating sacrament was not administered, unless at the times of preaching. Some are of opinion this practice proceeded from an opinion of the indifferency, or at least the non-necessity of baptism. But now the assembly ordained, "that in case this sacrament was required by the parents, or others in their names, it should neither be refused to infants, or delayed upon any pretence whatsoever:" and thus the Scotch ministers made somewhat of an advance towards the Church of England.

Spotswood's
Ch. Hist.
MS. penes
Archibald
Campbell
Armig.
*Pope Cle-
ment's letter
to Blackwell,
the arch-
priest.*
October,
1602.
669.

About this time pope Clement VIII., perceiving the disputes between the English seculars and Jesuits was like to disserve his interest, wrote to the archpriest Blackwell to stop the progress of the contest: to call in all defamatory books, and not to suffer either party to maltreat the other; and that they should print nothing upon the controversy without a licence from the cardinal protector. The pope takes notice that some English priests had appealed, and preferred a complaint against Blackwell: he therefore cautions him to manage his commission with temper: as for his instructions at length,

See Records, I shall refer the reader to the records.
num. 98.

*Queen Eli-
zabeth's
death and
character.*

The queen, who had hitherto been all along happy in her health, began now to decline very sensibly. On the last of January, she removed from Westminster to Richmond

for retirement and the benefit of the air. She was seized some time before her death with a deep melancholy. Whether this distemper proceeded from conscience or constitution,—whether her mind affected her health, or ill habit of body clouded her imagination,—is somewhat uncertain. It is possible her extraordinary usage of the queen of Scots, embroiling the neighbouring kingdoms and harassing the patrimony of the Church, might not altogether please in the retrospection. The earl of Essex's friends pretended her giving way to the execution of that nobleman sat hard upon her spirits. Some thought she suspected the inclinations of her subjects began to remove, that they grew weary of her government, and looked towards the king of Scots. But, without pronouncing upon the cause, it is certain the last scene was dark and disconsolate. However, her silence and solitary appearance, her refusing conversation, unless with archbishop Whitgift, might proceed from a religious disposition. She was willing, we may charitably suppose, to keep herself in a posture of recollection, and reserve her time for eternity. When the symptoms grew mortal, the lord keeper and secretary Cecil waited on her by the direction of the privy council. Their business was to ask her pleasure concerning her successor. She told them “her throne was a throne of kings, and that she would not have any mean person succeed her.” And the secretary desiring her majesty to explain herself farther, she answered, “that the king of Scots, her nearest relation, should succeed her.” After this, the archbishop put her in mind to turn her thoughts to the other world, and think upon God. “That I do,” says she; “nor does my mind at all wander from him.” And when her speech failed her, her gestures were devout and significant. She died on the 24th of March, in the seventieth year of her age, and the forty-fifth of her reign.

ELIZABETH.

Camden,
Eliz.

Idem.

To say something of this princess by way of description: she seems to have been formed by nature and education for the greatness she was born to. It must be said her qualities were many of them correspondent to her station. To be somewhat particular: she was furnished with learning, sense, and courage, to an unusual degree; she spoke Latin, French, and Italian, with ease and propriety, and understood Greek and Spanish; she translated “Sallust de Bello Jugurthino,” the greatest part

WHIT-
GIFT,
Abp. Cant.

of “Horace de Arte Poetica,” and “Plutarch de Curiositate;” she had a good ear for music, and played upon several instruments. Her mien and behaviour were graceful and majestic; and being prepared to answer ambassadors’ speeches in the language they were delivered, and discourse upon government and the state of foreign kingdoms, she appeared with great advantage at her giving audience, and upon other public occasions. Thus, the duke of Anjou and other strangers of quality are said to have admired her extremely. She was generally awake for the functions of government. Her measures for precaution were well taken: her conduct rested upon art, and her politics were carried to the farthest improvement; and, when the prospect was black and the crisis grew dangerous, nothing was more brave than this princess. For instance, when the Spanish Armada was ready to descend upon the kingdom, she appeared at Tilbury with an air of resolution, rode about the army, harangued her troops, and encouraged them like an heroine.

Neither was she less remarkable in her administration at home. She knew how to govern her dominions, as well as guard them. She always took care to keep a due distance between the subject and sovereign, and never suffered her people, “either without doors or within,” to grow upon the prerogative; and, notwithstanding these reserves of majesty, this holding the reins tight, and keeping the spirit of government always stirring, she avoided the imputation of a rigid prince, and gained the affections of the generality. She had the secret of engaging the people, without lessening her authority; was condescending and popular in her gestures and discourse; and knew how to stoop, without shrinking her stature. And, to make her management more acceptable, she never burthened the country with unnecessary taxes; and that which was given was constantly applied to the public benefit. To which I may add, the recovery of the mint to a just standard of fineness. In short, had the interest of her subjects lain wholly in this world, few princes would have left their memory better recommended¹.

But, as to the service of religion, I am sorry I cannot say

¹ Such were some of the great benefits which will ever endear the memory of Elizabeth to the British, notwithstanding her numerous defects, which Dodd, Lingard, Hume, and Smythe, have so graphically delineated.

her conduct was altogether so happy. She restored the Reformation, it is true, but in many places left little provision to maintain it. She drew back the patrimony of the Church restored by her sister queen Mary, and reached somewhat unkindly into the remainder. To give an instance or two farther of the depredations during this reign : the bishopric of Ely, after Cox's death, was kept vacant near twenty years, and the people almost left "like sheep without a shepherd." It is said the ejected king of Portugal was subsisted with the rents. And, when the see was filled, the next successor, Heaton, found most of the manors wrested from it. Sir John Harrington confesses this kind of management was reckoned one of the blemishes of her reign. The taking away the bishops' lands, and returning the lamentable exchange of impropriations, was a great blow to the Church : for, not to mention these impropriations were part of the consecrated revenues,—not to mention the exchange was far short of an equivalent,—not to mention this,—the forcing the bishops to subsist on these parochial endowments put them out of capacity of relieving the poor vicars, which in many places were very despicably provided for. To give some modern proof of this matter : when White, bishop of Peterborough, visited the diocese of Lincoln, in the reign of king James II., part of this prelate's report to his majesty was this : "That, for about thirty miles together beyond Lincoln, many of the livings were worth but five pounds per annum, and none more than ten." And, to set this matter in a fuller light, I shall give the reader a computation of the livings in England, and subjoin an authentic account of the slender value of most of them.

To return : if it is said queen Elizabeth had an act of parliament to justify her taking away the bishops' lands, I grant she had so ; but then it must be considered her majesty had solemnly sworn to maintain the clergy in their rights and privileges. The difficulty, therefore, will be to reconcile her passing this bill with the coronation-oath. However, the knot was cut, and the scruple mastered ; and, which is more, the act was driven home in the execution,—insomuch, that Wickham, bishop of Winchester, had the bold honesty to tell the queen, in a sermon, that, if the temporalities of the bishops should suffer the next thirty years as much as they had done for

ELIZABETH.

Harrington's Brief View.

This account I received from a reverend clergyman, who had it from the bishop himself.

670.

See Records, num. 99.

At her coronation.

This sermon was preached before the queen in the year 1595.

thirty years last past, there would scarcely be enough remaining on any see to keep the cathedral in repair.

These things considered, if this queen's usage of the clergy was compared with what they met with in the reign of Henry VIII., it is to be feared it might be said, "Her little finger was thicker than her father's loins;" and that he "disciplined them with whips," but she "chastised them with scorpions." And, as to the parallel between this princess and her sister queen Mary, may it not be affirmed, that the one made martyrs in the Church, and the other beggars?—the one executed the men, and the other the estates? And therefore, reserving the honour of the Reformation to queen Elizabeth, the question will be, whether the resuming the first-fruits and tenths, putting many of the vicarages in this deplorable condition, and settling a perpetuity of poverty upon the Church, was not much more prejudicial than fire and fagot? Whether destroying bishoprics is not a much greater hardship than destroying bishops?—because this severity affects succession, and reaches down to future ages. And, lastly, whether, as the world goes, it is not more easy to recruit bishops, than the revenues to support them? But this only by way of query: and so much for queen Elizabeth's reign.

At the conclusion of Elizabeth's illustrious reign, which was so much disturbed by the proceedings of the Puritans, the readers of Collier will be pleased to see Hallam's admirable remarks on the controversies they occasioned.

"The two statutes enacted in the first year of Elizabeth, commonly called the acts of supremacy and uniformity, are the main links of the Anglican Church with the temporal constitution, and establish the subordination and dependency of the former; the first abrogating all jurisdiction and legislative power of ecclesiastical rulers, except under the authority of the crown; and the second prohibiting all changes of rites and discipline without the approbation of parliament. It was the constant policy of this queen to maintain her ecclesiastical prerogative and the laws she had enacted. But in following up this principle she found herself involved in many troubles, and had to contend with a religious party quite opposite to the Romish, less dangerous indeed and inimical to her government, but full as vexatious and determined.

"I have in another place slightly mentioned the differences that began to spring up under Edward VI., between the moderate reformers who established the new Anglican Church, and those who accused them of proceeding with too much forbearance in casting off superstitions and abuses. These diversities of opinion were not without some relation to those which distinguished the two great families of Protestantism in Europe. Luther, intent on his own system of dogmatic theology, had shown much indifference about retrenching exterior ceremonies, and had even favoured, especially in the first years of his preaching, that specious worship which some ardent reformers were eager to reduce to simplicity. Crucifixes and images, tapers and priestly vestments, even for a

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GIFT,
Abp. Cant.

Harring-
ton's Brief
View, &c.
p. 66.

1 Kings xii.
10, 11.

time the elevation of the host and the Latin mass-book, continued in the Lutheran Churches; while the disciples of Zuingle and Calvin were carefully eradicating them as popish idolatry and superstition. Cranmer and Ridley, the founders of the English Reformation, justly deeming themselves independent of any foreign master, adopted a middle course between the Lutheran and Calvinistic ritual. The general tendency, however, of Protestants, even in the reign of Edward VI., was towards the simpler forms; whether through the influence of those foreign divines who co-operated in our reformation, or because it was natural in the heat of religious animosity to recede as far as possible, especially in such exterior distinctions, from the opposite denomination. The death of Edward seems to have prevented a further approach to the scheme of Geneva in our ceremonies, and perhaps in our discipline. During the persecution of Mary's reign, the most eminent Protestant clergymen took refuge in various cities of Germany and Switzerland. They were received by the Calvinists with hospitality and fraternal kindness; while the Lutheran divines, a narrow-minded intolerant faction, both neglected and insulted them. Divisions soon arose among themselves about the use of the English service, in which a pretty considerable party was disposed to make alterations. The chief scene of these disturbances was Frankfort, where Knox, the famous reformer of Scotland, headed the innovators; while Cox, an eminent divine, much concerned in the establishment of Edward VI. and afterwards bishop of Ely, stood up for the original liturgy. Cox succeeded (not quite fairly, if we may rely on the only narrative we possess) in driving his opponents from the city; but these disagreements were by no means healed, when the accession of Elizabeth recalled both parties to their own country; neither of them very likely to display more mutual charity in their prosperous hour, than they had been able to exercise in a common persecution.

"The first mortification these exiles endured on their return was to find a more dilatory advance towards public reformation of religion, and more of what they deemed lukewarmness, than their sanguine zeal had anticipated. Most part of this delay was owing to the greater prudence of the queen's counsellors, who felt the pulse of the nation before they ventured on such essential changes. But there was yet another obstacle, on which the reformers had not reckoned. Elizabeth, though resolute against submitting to the papal supremacy, was not so averse to all the tenets abjured by Protestants, and loved also a more splendid worship than had prevailed in her brother's reign; while many of those returned from the continent were intent on copying a still simpler model. She reprov'd a divine who preached against the real presence, and is even said to have used prayers to the Virgin. But her great struggle with the reformers was about images, and particularly the crucifix, which she retained, with lighted tapers before it, in her chapel; though in the injunctions to the ecclesiastical visitors of 1559, they are directed to have them taken away from churches. This concession she must have made very reluctantly, for we find proofs the next year of her inclination to restore them; and the question of their lawfulness was debated, as Jewel writes word to Peter Martyr, by himself and Grindal on one side, against Parker and Cox, who had been persuaded to argue in their favour. But the strenuous opposition of men so distinguished as Jewel, Sandys, and Grindal, of whom the first declared his intention of resigning his bishopric in case this return towards superstition should be made, compelled Elizabeth to relinquish her project. The crucifix was even for a time removed from her own chapel, but replaced about 1570.

"There was, however, one other subject of dispute between the old and new religions, upon which her majesty could not be brought to adopt the Protestant side of the question. This was the marriage of the clergy, to which she expressed so great an aversion, that she would never consent to repeal the statute of her sister's reign against it. Accordingly, the bishops and clergy, though they married by connivance, or rather by an ungracious permission, saw, with very just dissatisfaction, their children treated by the law as the offspring of concubinage. This continued, in legal strictness, till the first year of James, when the statute of Mary was explicitly repealed; though I cannot help suspecting that clerical marriages had been tacitly recognised, even in courts of justice, long before that time. Yet it appears less probable to derive Elizabeth's prejudice in this respect from any deference to the Roman discipline, than from that strange dislike

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to the most lawful union between the sexes, which formed one of the singularities of her character.

“Such a reluctance as the queen displayed to return in every point even to the system established under Edward, was no slight disappointment to those who thought that too little had been effected by it. They had beheld at Zurich and Geneva the simplest, and, as they conceived, the purest form of worship. They were persuaded that the vestments still worn by the clergy, as in the days of popery, though in themselves indifferent, led to erroneous notions among the people, and kept alive a recollection of former superstitions, which would render their return to them more easy in the event of another political revolution. They disliked some other ceremonies for the same reason. These objections were by no means confined, as is perpetually insinuated, to a few discontented persons. Except archbishop Parker, who had remained in England during the late reign, and Cox, bishop of Ely, who had taken a strong part at Frankfort against innovation, all the most eminent churchmen, such as Jewel, Grindal, Sandys, Nowell, were in favour of leaving off the surplice and what were called the popish ceremonies. Whether their objections are to be deemed narrow and frivolous or otherwise, it is inconsistent with veracity to dissemble that the queen alone was the cause of retaining those observances, to which the great separation from the Anglican establishment is ascribed. Had her influence been withdrawn, surplices and square caps would have lost their steadiest friend; and several other little accommodations to the prevalent dispositions of Protestants would have taken place. Of this it seems impossible to doubt, when we read the proceedings of the convocation in 1562, when a proposition to abolish most of the usages deemed objectionable was lost only by a vote, the numbers being 59 to 58¹.

“In thus restraining the ardent zeal of reformation, Elizabeth may not have been guided merely by her own prejudices, without far higher motives of prudence and even of equity. It is difficult to pronounce in what proportion the two conflicting religions were blended on her coming to the throne. The reformed occupied most large towns, and were no doubt a more active and powerful body than their opponents. Nor did the ecclesiastical visitors of 1559 complain of any resistance, or even unwillingness, among the people. Still the Romish party was extremely numerous; it comprehended the far greater portion of the beneficed clergy, and all those who, having no turn for controversy, clung with pious reverence to the rites and worship of their earliest associations. It might be thought perhaps not very repugnant to wisdom or to charity, that such persons should be won over to the reformed faith by retaining a few indifferent usages, which gratified their eyes, and took off the impression, so displeasing to simple minds, of religious innovation. It might be urged that, should even somewhat more of superstition remain awhile than rational men would approve, the mischief would be far less than to drive the people back into the arms of popery, or to expose them to the natural consequences of destroying at once all old landmarks of reverence,—a dangerous fanaticism or a careless irreligion. I know not in what degree these considerations had weight with Elizabeth; but they were such as it well became her to entertain.

“We live, however, too far from the period of her accession, to pass an unqualified decision on the course of policy which it was best for the queen to pursue. The difficulties of effecting a compromise between two intolerant and exclusive sects were, perhaps, insuperable. In maintaining or altering a religious establishment, it may be reckoned the general duty of governments to respect the wishes of the majority. But it is also a rule of human policy to favour the more efficient and determined, which may not always be the more numerous party. I am far from being convinced that it would not have been practicable, by receding a little from that uniformity which governors delight to prescribe, to have palliated in a great measure, if not put an end for a time, to the discontent that so soon endangered the new establishment. The frivolous usages, to which

¹ It was proposed on this occasion to abolish all saints' days, to omit the cross in baptism, to leave kneeling at the communion to the ordinary's discretion, to take away organs, and one or two more of the ceremonies then chiefly in dispute.

so many frivolous objections were raised, such as the tippet and surplice, the sign of the cross in baptism, the ring in matrimony, the posture of kneeling at the communion, might have been left to private discretion, not possibly without some inconvenience, but with less, as I conceive, than resulted from rendering their observance indispensable. Nor should we allow ourselves to be turned aside by the common reply, that no concessions of this kind would have ultimately prevented the disunion of the Church, upon more essential differences than these litigated ceremonies; since the science of policy, like that of medicine, must content itself with devising remedies for immediate danger, and can at best only retard the progress of that intrinsic decay which seems to be the law of all things human, and through which every institution of man, like his earthly frame, must one day crumble into ruin.

“The repugnance felt by a large part of the Protestant clergy to the ceremonies with which Elizabeth would not consent to dispense, showed itself in irregular transgressions of the uniformity prescribed by statute. Some continued to wear the habits, others laid them aside; the communicants received the sacrament sitting, or standing, or kneeling, according to the minister’s taste; some baptized in the font, others in a basin; some with the sign of the cross, others without it. The people in London and other towns, siding chiefly with the malcontents, insulted such of the clergy as observed the prescribed order. Many of the bishops readily connived at deviations from ceremonies which they disapproved. Some, who felt little objection to their use, were against imposing them as necessary. And this opinion, which led to very momentous inferences, began so much to prevail, that we soon find the objections to conformity more grounded on the unlawfulness of compulsory regulations in the Church prescribed by the civil power, than on any special impropriety in the usages themselves. But this principle, which perhaps the scrupulous party did not yet very fully avow, was altogether incompatible with the supremacy vested in the queen, of which fairest flower of her prerogative she was abundantly tenacious. One thing was evident, that the Puritan malcontents were growing every day more numerous, more determined, and more likely to win over the generality of those who sincerely favoured the Protestant cause. There were but two lines to be taken; either to relax and modify the regulations which gave offence, or to enforce a more punctual observation of them. It seems to me far more probable that the former course would have prevented a great deal of that mischief, which the second manifestly aggravated. For in this early stage the advocates of a simpler ritual had by no means assumed the shape of an embodied faction, whom concessions, it must be owned, are not apt to satisfy, but numbered the most learned and distinguished portion of the hierarchy. Parker stood nearly alone on the other side, but alone more than an equipoise in the balance, through his high station, his judgment in matters of policy, and his knowledge of the queen’s disposition. He had possibly reason to apprehend that Elizabeth, irritated by the prevalent humour for alteration, might burst entirely away from the Protestant side, or stretch her supremacy to reduce the Church into a slavish subjection to her caprice. This might induce a man of his sagacity, who took a far wider view of civil affairs than his brethren, to exert himself according to her peremptory command for universal conformity. But it is not easy to reconcile the whole of his conduct to this opposition; and in the copious memorials of Strype, we find the archbishop rather exciting the queen to rigorous measures against the Puritans than standing in need of her admonition.

“The unsettled state of exterior religion which has been mentioned lasted till 1565. In the beginning of that year a determination was taken by the queen, or rather perhaps by the archbishop, to put a stop to all irregularities in the public service. He set forth a book called ‘Advertisements,’ containing orders and regulations for the discipline of the clergy. This modest title was taken in consequence of the queen’s withholding her sanction of its appearance through Leicester’s influence. The primate’s next step was to summon before the ecclesiastical commission, Sampson, dean of Christ-church, and Humphrey, president of Magdalen-college, Oxford, men of signal nonconformity, but at the same time of such eminent reputation, that, when the law took its course against them, no other offender could hope for indulgence. On refusing to wear the customary habits, Sampson was deprived of his deanery; but the other seems to have been tol-

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rated. This instance of severity, as commonly happens, rather irritated than intimidated the Puritan clergy, aware of their numbers, their popularity, and their powerful friends, but above all sustained by their own sincerity and earnestness. Parker had taken his resolution to proceed in the vigorous course he had begun. He obtained from the queen a proclamation, peremptorily requiring conformity in the use of the clerical vestments and other matters of discipline. The London ministers, summoned before himself and their bishop Grindal, who did not very willingly co-operate with his metropolitan, were called upon for a promise to comply with the legal ceremonies, which thirty-seven out of ninety-eight refused to make. They were in consequence suspended from their ministry, and their livings put in sequestration. But these unfortunately, as was the case in all this reign, were the most conspicuous, both for their general character and for their talent in preaching.

"Whatever deviations from uniformity existed within the pale of the Anglican Church, no attempt had hitherto been made to form separate assemblies; nor could it be deemed necessary, while so much indulgence had been conceded to the scrupulous clergy. But they were now reduced to determine whether the imposition of those rites they disliked would justify, or render necessary, an abandonment of their ministry. The bishops of that school had so far overcome their repugnance, as not only to observe the ceremonies of the Church, but, in some instances, to employ compulsion towards others. A more unexceptionable, because more disinterested judgment, was pronounced by some of the Swiss reformers to whom our own paid great respect—Beza, Gualter, and Bullinger; who while they regretted the continuance of a few superfluous rites, and still more the severity used towards good men, dissuaded their friends from deserting their vocation on that account. Several of the most respectable opponents of the ceremonies were equally adverse to any open schism. But the animosities springing from heated zeal, and the smart of what seemed oppression, would not suffer the English Puritans generally to acquiesce in such temperate counsels. They began to form separate conventicles in London, not ostentatiously indeed, but of course without the possibility of eluding notice. It was doubtless worthy of much consideration, whether an established Church-government could wink at the systematic disregard of its discipline by those who were subject to its jurisdiction and partook of its revenues. And yet there were many important considerations derived from the posture of religion and of the state, which might induce cool-headed men to doubt the expediency of too much straitening the reins. But there are few, I trust, who can hesitate to admit that the Puritan clergy, after being excluded from their benefices, might still claim from a just government a peaceable toleration of their particular worship. This it was vain to expect from the queen's arbitrary spirit, the imperious humour of Parker, and that total disregard of the rights of conscience which was common to all parties in the sixteenth century. The first instance of actual punishment inflicted on Protestant Dissenters was in June, 1567, when a company of more than one hundred were seized during their religious exercises at Plummer's-hall, which they had hired on pretence of a wedding, and fourteen or fifteen of them were sent to prison. They behaved on their examination with a rudeness as well as self-sufficiency, that had already begun to characterize the Puritan faction. But this cannot excuse the fatal error of molesting men for the exercise of their own religion.

"These coercive proceedings of the archbishop were feebly seconded, or directly thwarted, by most leading men both in Church and State. Grindal and Sandys, successively bishops of London and archbishops of York, were naturally reckoned at this time somewhat favourable to the nonconforming ministers, whose scruples they had partaken. Parkhurst and Pilkington, bishops of Norwich and Durham, were openly on their side. They had still more effectual support in the queen's council. The earl of Leicester, who possessed more power than any one to sway her wavering and capricious temper, the earls of Bedford, Huntingdon, and Warwick, regarded as the steadiest Protestants among the aristocracy, the wise and grave lord-keeper Bacon, the sagacious Walsingham, the experienced Sadler, the zealous Knollys, considered these objects of Parker's severity, either as demanding a purer worship than had been established in the Church, or at least as worthy by their virtues and services of more indulgent treatment.

Cecil himself, though on intimate terms with the archbishop, and concurring generally in his measures, was not far removed from the latter way of thinking, if his natural caution and extreme dread at this juncture of losing the queen's favour had permitted him more unequivocally to express it. Those whose judgment did not incline them towards the Puritan notions, respected the scruples of men in whom the reformed religion could so implicitly confide. They had regard also to the condition of the Church. The far greater part of its benefices were supplied by Conformists of very doubtful sincerity, who would resume their mass-books with more alacrity than they had cast them aside. Such a deficiency of Protestant clergy had been experienced at the queen's accession, that for several years it was a common practice to appoint laymen, usually mechanics, to read the service in vacant churches. These were not always wholly illiterate; or if they were, it was no more than might be said of the popish clergy, the vast majority of whom were destitute of all useful knowledge, and could read little Latin. Of the two universities, Oxford had become so strongly attached to the Romish side during the late reign, that, after the desertion or expulsion of the most zealous of that party had almost emptied several colleges, it still for many years abounded with adherents to the old religion. But at Cambridge, which had been equally popish at the queen's accession, the opposite faction soon acquired the ascendant. The younger students, imbibing ardently the new creed of ecclesiastical liberty and excited by Puritan sermons, began to throw off their surplices, and to commit other breaches of discipline, from which it might be inferred that the generation to come would not be less apt for innovation than the present.

"The first period in the history of puritanism includes the time from the queen's accession to 1570, during which the retention of superstitious ceremonies in the Church had been the sole avowed ground of complaint. But when these obnoxious rites came to be enforced with unsparing rigour, and even those who voluntarily renounced the temporal advantages of the establishment were hunted from their private conventicles, they began to consider the national system of ecclesiastical regimen as itself in fault, and to transfer to the institution of episcopacy that dislike they felt for some of the prelates. The ostensible founder of this new school (though probably its tenets were by no means new to many of the sect) was Thomas Cartwright, the lady Margaret's professor of divinity at Cambridge. He began about 1570 to inculcate the unlawfulness of any form of church-government, except what the apostles had instituted, namely, the Presbyterian. A deserved reputation for virtue, learning, and acuteness, an ardent zeal, an inflexible self-confidence, a vigorous, rude, and arrogant style, marked him as the formidable leader of a religious faction. In 1572 he published his celebrated 'Admonition to the Parliament,' calling on that assembly to reform the various abuses subsisting in the Church. In this treatise, such a hardy spirit of innovation was displayed, and schemes of ecclesiastical policy so novel and extraordinary were developed, that it made a most important epoch in the contest, and rendered its termination far more improbable. The hour for liberal concessions had been suffered to pass away; the archbishop's intolerant temper had taught men to question the authority that oppressed them, till the battle was no longer to be fought for a tippet and a surplice, but for the whole ecclesiastical hierarchy, interwoven as it was with the temporal constitution of England.

"It had been the first measure adopted in throwing off the yoke of Rome to invest the sovereign with an absolute control over the Anglican Church; so that no part of its coercive discipline could be exercised but by his authority, nor any laws enacted for its governance without his sanction. This supremacy, indeed, both Henry VIII. and Edward VI. had carried so far, that the bishops were reduced almost to the rank of temporal officers, taking out commissions to rule their dioceses during the king's pleasure; and Cranmer had prostrated at the feet of Henry those spiritual functions, which have usually been reckoned inherent in the order of clergy. Elizabeth took some pains to soften and almost explain away her supremacy, in order to conciliate the Catholics; while, by means of the High Commission-court, established by statute in the first year of her reign, she was practically asserting it with no little despotism. But the avowed opponents of this prerogative were hitherto chiefly those who looked to Rome for an-

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other head of their Church. The disciples of Cartwright now learned to claim an ecclesiastical independence, as unconstrained as the Romish priesthood in the darkest ages had usurped. 'No civil magistrate in councils or assemblies for Church matters,' he says in his 'Admonition,' 'can either be chief moderator, overruler, judge, or determiner; nor has he such authority as that, without his consent, it should not be lawful for ecclesiastical persons to make any Church orders or ceremonies. Church matters ought ordinarily to be handled by Church officers. The principal direction of them is by God's ordinance committed to the ministers of the Church and to the ecclesiastical governors. As these meddle not with the making civil laws, so the civil magistrate ought not to ordain ceremonies, or determine controversies in the Church, as long as they do not intrench upon his temporal authority. 'Tis the prince's province to protect and defend the councils of his clergy, to keep the peace, to see their decrees executed, and to punish the contemnors of them; but to exercise no spiritual jurisdiction.' 'It must be remembered,' he says in another place, 'that civil magistrates must govern the Church according to the rules of God prescribed in his Word, and that as they are nurses, so they be servants unto the Church; and as they rule in the Church, so they must remember to submit themselves unto the Church, to submit their sceptres, to throw down their crowns before the Church, yea, as the prophet speaketh, to lick the dust of the feet of the Church.' It is difficult to believe that I am transcribing the words of a Protestant writer; so much does this passage call to mind those tones of infatuated arrogance, which had been heard from the lips of Gregory VII. and of those who trod in his footsteps.

"The strength of the Protestant party had been derived, both in Germany and in England, far less from their superiority in argument, however decisive this might be, than from that desire which all classes, and especially the higher, had long experienced to emancipate themselves from the thralldom of ecclesiastical jurisdiction. For it is ever found, that men do not so much as give a hearing to novel systems in religion, till they have imbibed, from some cause or other, a secret distaste to that in which they have been educated. It was therefore rather alarming to such as had an acquaintance with ecclesiastical history, and knew the encroachments formerly made by the hierarchy throughout Europe, encroachments perfectly distinguishable from those of the Roman see, to perceive the same pretensions urged, and the same ambition and arrogance at work, which had imposed a yoke on the necks of their fathers. With whatever plausibility it might be maintained that a connexion with temporal magistrates could only corrupt the purity and shackle the liberties of a Christian Church, this argument was not for them to urge, who called on those magistrates to do the Church's bidding, to enforce its decrees, to punish its refractory members; and while they disdained to accept the prince's co-operation as their ally, claimed his service as their minister. The Protestant Dissenters since the revolution, who have pretty unanimously, and, I doubt not, sincerely, declared their aversion to any religious establishment, especially as accompanied with coercive power, even in favour of their own sect, are by no means chargeable with these errors of the early Puritans. But the scope of Cartwright's declaration was not to obtain a toleration for dissent, nor even by abolishing the whole ecclesiastical polity, to place the different professions of religion on an equal footing, but to substitute his own model of government, for the one, exclusive, unappealable standard of obedience, with all the endowments, so far as applicable to its frame, of the present Church, and with all the support to its discipline that the civil power could afford.

"We are not, however, to conclude that every one, or even the majority, of those who might be counted on the Puritan side in Elizabeth's reign, would have subscribed to these extravagant sentences of Cartwright, or desired to take away the legal supremacy of the crown. That party acquired strength by the prevailing hatred and dread of popery, and by the disgust which the bishops had been unfortunate enough to excite. If the language which I have quoted from the Puritans breathed a spirit of ecclesiastical usurpation that might one day become dangerous, many were of opinion that a spirit not less mischievous in the present hierarchy, under the mask of the queen's authority, was actually manifesting itself in deeds of oppression. The upper ranks among the laity, setting aside courtiers, and such as took little interest in the dispute, were chiefly divided

between those attached to the ancient Church, and those who wished for further alterations in the new. I conceive the Church of England party, that is, the party adverse to any species of ecclesiastical change, to have been the least numerous of the three during this reign ; still excepting, as I have said, the neutrals, who commonly make a numerical majority, and are counted along with the dominant religion. But by the act of the fifth of Elizabeth, Roman Catholics were excluded from the house of Commons ; or, if some that way affected might occasionally creep into it, yet the terror of penal laws impending over their heads would make them extremely cautious of betraying their sentiments. This contributed with the prevalent tone of public opinion, to throw such a weight into the puritanical scale in the Commons, as it required all the queen's energy to counterbalance."

ELIZA-
BETH.

AN

ECCLESIASTICAL HISTORY

OF

GREAT BRITAIN.

PART II.—BOOK VIII.

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671.

April,
A. D. 1603.
K. James I
proclaimed,
and comes
into Eng-
land.

The death
and cha-
acter of
Beaton,
archbishop
of Glasgow.

UPON the death of queen Elizabeth, king James VI. of Scotland was proclaimed in London. And now sir Charles Percy, brother to the earl of Northumberland, and Thomas Somerset, brother to the earl of Worcester, were dispatched by the privy council to acquaint his majesty with the queen's decease, and with what had passed for recognizing his right. Upon this news the king prepared for his journey into England, and made a speech to the people at Edinburgh, who parted with him not without regret. He told them, "they should find the effects of his government no less beneficial at a distance than when he continued with them: and since his power was increased, his affections should not grow less." When he came to Berwick, Toby Matthews, bishop of Durham, congratulated his accession to the throne in a sermon. At Burleigh-house, near Stamford, his majesty was acquainted with the death of James Beaton, archbishop of Glasgow. This prelate was descended of the house of Balfour in Fife, and consecrated in the year 1552. When the Scotch Reformation began, he quitted the country, and carried away all the manuscripts and records of his see, together with the plate and ornaments of the cathedral. He settled at Paris. Amongst other things of value, conveyed beyond sea by this archbishop, there was a figure of our Saviour in gold, and the twelve Apostles in silver. When the late queen Mary returned from France into Scotland, she gave him a public character, and ordered him to reside at the

French court. Under the regencies he was proclaimed rebel, his estate seized, and his see disposed of to several persons successively. The king, when a major, restored him to his honour and fortune, and gave him his former post of ambassador in France. Spotswood gives him the commendation of a worthy person: stating that he continued loyal to the queen as long as she lived, and was afterwards no less true to the king her son: and that he all along served his country to the utmost of his power. He left ten thousand crowns for breeding poor Scotchmen to learning. The records, plate, and other things of value, carried along with him, he lodged in the hands of the Carthusians at Paris, with a clause in his will for restoring them when Glasgow turned Catholic.

Spotswood's
Ch. Hist.
The Puritans omit the ceremonies of the Church.

In England, those who were puritanically inclined, presuming either upon the king's favour or connivance, began to maim the Church service, to forbear the use of the surplice, and omit the ceremonies. These omissions they hoped might be acceptable to the king, considering his education, and the practice of the Scotch Kirk; but these men were wide in their conjectures, and miscalculated upon his majesty's inclination: for soon after his coming into England a proclamation was issued out, forbidding all manner of innovation either in doctrine or discipline.

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A proclamation against innovation.

But all those affected to Presbyterianism were not thus exceptionably forward. Some disliked these sallies of zeal, and resolved to manage by a more regular motion. To this purpose they addressed the king in the name of certain ministers of the Church of England, desiring reformation of sundry ceremonies and abuses. This address was said to be signed by a thousand, and therefore called the "Millenary Petition," though there wanted some hundreds to complete the number. The petition runs thus:—

"To the most Christian and excellent prince, our gracious and dread sovereign, James, by the grace of God, &c. We, the ministers of the Church of England that desire reformation, wish a long, prosperous, and happy reign over us in this life, and in the next everlasting salvation.

The Millenary petition.

"Most gracious and dread sovereign,
"Seeing it hath pleased the Divine Majesty, to the great

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comfort of all good Christians, to advance your highness, according to your just title, to the peaceable government of this Church and commonwealth of England: we, the ministers of the Gospel in this land, neither as factious men, affecting a popular parity in the Church, nor as schismatics, aiming at the dissolution of the state ecclesiastical; but as the faithful servants of Christ, and loyal subjects to your majesty, desiring and longing for the redress of divers abuses of the Church, could do no less, in our obedience to God, service to your majesty, love to his Church, than acquaint your princely majesty with our particular griefs; for, as your princely pen writeth, ‘the king, as a good physician, must first know what peccant humours his patient naturally is most subject unto, before he can begin his cure.’ And although divers of us that sue for reformation have formerly, in respect of the times, subscribed to the book, some upon protestation, some upon exposition given them, some with condition, rather than the Church should have been deprived of their labour and ministry: yet now we, to the number of more than a thousand of your majesty’s subjects and ministers, all groaning as under a common burthen of human rites and ceremonies, do, with one joint consent, humble ourselves at your majesty’s feet, to be eased and relieved in this behalf. Our humble suit then unto your majesty is, that of these offences following, some may be removed, some amended, some qualified:—

“I. In the Church service: that the cross in baptism, interrogatories ministered to infants, and confirmations, as superfluous, may be taken away. Baptism not to be ministered by women, and so explained. The cap and surplice not urged. That ex-amination may go before the communion. That it be ministered with a sermon. That divers terms of priests, and absolution, and some other used, with the ring in marriage, and other such like in the book, may be corrected. The longsome-ness of service abridged. Church songs and music moderated to better edification. That the Lord’s-day be not profaned. The rest upon holidays not so strictly urged. That there may be an uniformity of doctrine prescribed. No popish opinion to be any more taught or defended. No ministers charged to teach their people to bow at the name of Jesus. That the canonical scriptures only be read in the Church.

“ II. Concerning Church ministers : that none hereafter be admitted into the ministry but able and sufficient men, and those to preach diligently, and especially upon the Lord’s-day. That such as be already entered and cannot preach, may either be removed, and some charitable course taken with them for their relief; or else to be forced, according to the value of their livings, to maintain preachers. That non-residency be not permitted. That king Edward’s statute for the lawfulness of ministers’ marriage be revived. That ministers be not urged to subscribe but according to the law, to the articles of religion, and the king’s supremacy only. JAMES I.

“ III. For Church living and maintenance : that bishops leave their commendams ; some holding prebends, some parsonages, some vicarages, with their bishoprics. That double-beneficed men be not suffered to hold some two, some three benefices with cure ; and some two, three, or four dignities besides. That impropriations annexed to bishoprics and colleges be demised only to the preachers’ incumbents for the old rent. That the impropriations of laymen’s fees may be charged with a sixth or seventh part of the worth, to the maintenance of the preaching minister.

“ IV. For Church discipline : that the discipline and excommunication may be administered according to Christ’s own institution ; or, at least, that enormities may be redressed : as namely, that excommunication come not forth under the name of lay persons, chancellors, officials, &c. That men be not excommunicated for trifles and twelve-penny matters ; that none be excommunicated without consent of his pastor. That the officers be not suffered to extort unreasonable fees. That none having jurisdiction or registers’ places put out the same to farm. That divers popish canons (as for restraint of marriage at certain times) be reversed. That the longsomeness of suits in ecclesiastical courts (which hang sometimes two, three, four, five, six, or seven years) may be restrained. That the oath *ex officio*, whereby men are forced to accuse themselves, be more sparingly used. That licenses for marriage, without banns asked, be more cautiously granted.

“ These, with such other abuses yet remaining, and practised in the Church of England, we are able to show not to be agreeable to the Scriptures, if it shall please your highness

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Esther iv.
14.

Fuller.

farther to hear us, or more at large by writing to be informed, or by conference among the learned to be resolved. And yet we doubt not but that, without any farther process, your majesty (of whose Christian judgment we have received so good a taste already) is able of yourself to judge of the equity of this cause. God, we trust, hath appointed your highness our physician to heal these diseases. And we say with Mordecai to Esther, ‘ Who knoweth whether you are come to the kingdom for such a time ? ’ Thus your majesty shall do that which we are persuaded shall be acceptable to God, honourable to your majesty in all succeeding ages, profitable to his Church, which shall be thereby increased, comfortable to your ministers, which shall be no more suspended, silenced, disgraced, imprisoned, for men’s traditions ; and prejudicial to none but those that seek their own credit, quiet, and profit in the world. Thus, with all dutiful submission, referring ourselves to your majesty’s pleasure for your gracious answer, as God shall direct you, we most humbly recommend your highness to the Divine Majesty, whom we beseech for Christ’s sake to dispose your royal heart to do herein what shall be to his glory, the good of his Church, and your endless comfort.

“ Your majesty’s most humble subjects,

“ The Ministers of the Gospel, that
desire not a disorderly innovation,
but a due and godly reformation.”

*The univer-
sities declare
and write
against it.
June 9,
A. D. 1603.*

And here it may be observed, that, notwithstanding this petition makes no express remonstrance against episcopacy, or stated forms of prayer, yet the design seems laid against both. For when so many of the outworks were taken, it is not likely the place could have held out long. When the branches of a tree are thus lopped off, the body must make an odd figure, and suffer of course. To come out of the allegory, the two universities thought it necessary to appear in defence of the ecclesiastical constitution. To this purpose, an order passed at a congregation in Cambridge, that whoever opposed the doctrine or discipline of the Church of England, either by word or writing, should be suspended from all degrees already taken, and disabled from taking any new ones. It was likewise

resolved to return an answer to the millenary petition; but being informed the undertaking was considerably advanced at Oxford, they rested the controversy with that university. However, a letter of thanks was sent to Oxford for their forwardness in the cause. This civility was no more than what was deserved; for soon after the petition was effectually answered. The king was fully apprized of these proceedings, but intended to draw the cognizance of the matter to himself. The method he thought fit to pitch upon was a public conference. This way of deciding the dispute was proposed by the Puritan party in the late reign; but queen Elizabeth could not be prevailed with to grant the request. She conceived the exposing things settled to question and dispute would breed disorder, and weaken the force of government. But king James, either of a desire to satisfy himself, or to show his talent in arguing and elocution, was of a different sentiment, and gave order for a conference. And now certain delegates of each party received a summons to attend his majesty at Hampton-court. Here the petition was to be discussed, and the king's pleasure farther known in the controversy.

JAMES I.

June 14,¹
A. D. 1603-4.*A conference
at Hampton-
court.*

The commissioners for the Church were,—the archbishop of Canterbury, the bishops of London, Durham, Winchester, Worcester, St. David's, Chichester, Carlisle, and Peterborough, the dean of the chapel, the deans of Westminster, Christchurch, St. Paul's, Worcester, Salisbury, Chester, and Windsor. To these must be added, Dr. King, archdeacon of Nottingham, and Dr. Field, afterwards dean of Gloucester. All these were dressed in the habits of their respective distinctions.

The bishops' names, who assisted for the Church, were, as they stand in the list: Whitgift, Bancroft, Mathew, Bilson, Bubington, Rudd, Watson, Robinson, Dove.

On the other side, the millenary petitioners sent Dr. John Reynolds and Dr. Thomas Sparke of Oxford, Mr. Chadderton and Mr. Knewstubs of Cambridge. These delegates had nothing of the canonical habit, but appeared in gowns of the shape of those then commonly worn by Turkey merchants.

The deans of Westminster, St. Paul's, Chester, and Salisbury were Andrews, Overall, Barlow, and Bridges. All the lords of the privy-council were present at the conference. The king's speech.

The king opened the conference with a speech to this effect:—

“He told them it was a customary practice amongst all Christian princes to lead the way in religious affairs, and provide for the settlement of the Church, both with reference to belief and government. Of this he gave instances in the reigns

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of king Henry VIII., king Edward VI., queen Mary, and queen Elizabeth. And in this respect he conceived he was more happy than those princes; because they thought themselves obliged to alter the establishment. But as for himself, he could yet discover no ground for making any change; that by the blessing of Providence he was brought into the promised land, where religion was professed in its purity; where he sat amongst grave, learned, and reverend men; and that now he was not, as formerly, a king without state and honour, nor in a place where order was banished, and beardless boys would brave him to his face.

The Sum
and Sub-
stance of
the Con-
ference at
Hampton-
court, by
William
Barlow,
D.D., and
Dean of
Chester,
printed A.D.
1664.

“His majesty assured them he did not convene this assembly out of any desire of innovation. He owned the present ecclesiastical government to have been plainly countenanced by Heaven; and that the propagating of truth and the public repose have been frequent upon it. But since the best provisions are capable of improvement, and decay and corruptions are commonly the effect of time; and because since his coming into this kingdom he had received complaints of many disorders, of disobedience to the laws, and falling off to popery; his majesty designed to examine the complaints, and in case they were scandalous, to remove the occasion; and though they were but trifling, to take notice of them, and give ‘Cerberus a sop’ to keep him quiet.”—His meaning was, that factious people might have no pretences to continue their clamour. And here, by the way, we are to observe, that, at this first day’s conference, none but the bishops and deans above-mentioned, and the lords of the council, were admitted into the presence.—“And now the king acquainted the bishops and the rest, that the reason of his consulting them by themselves was to receive satisfaction concerning several usages in the worship and discipline of the Church. These his majesty ranged under three general heads. The first related to the Book of Common Prayer; the second was touching excommunication in the ecclesiastical courts; the third was to suggest a provision of well qualified ministers for Ireland.

The first
day’s con-
ference.

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“I. As to the Book of Common-Prayer, he required satisfaction in three things:

“First, About confirmation. 1. He scrupled the term; for it imported a confirming of baptism, as if this sacrament

was insignificant without it, then there was blasphemy in the name. For though the ancient custom was defensible, that infants answering by their godfathers should be examined when they came to years of discretion; that after having owned the engagement made for them at the font, they should be confirmed with the bishop's blessing and imposition of hands; yet his majesty abhorred the abuse of raising this usage to a sacrament, and attributing its giving any force to baptism. JAMES I.

"The second thing he desired to be cleared was concerning absolution. His majesty had been informed, that this usage in the Church of England had some resemblance to the pope's pardons: but, in his opinion, God had given a commission to absolve only in two cases: the one was general, the other particular. For the first, All prayer and preaching, his majesty conceived, imported an absolution. As to the second, It was to be applied to those who had repented of scandalous crimes; otherwise, where the person is neither excommunicated, nor under penance, there was no necessity of his being absolved.

"His Majesty's third objection was to private baptism. And here he made a distinction: if it was private with reference to the place, he thought it consistent with the practice of the primitive Church: but if it related to the person, he disliked it to the last degree. And upon this occasion he expressed himself with some warmth against women and laicks administering this sacrament.

"II. The second general head was excommunication. And here his majesty proposed two things: First, The matter. Secondly, The person. First, He desired to be satisfied as to matter of fact, whether this censure was executed upon light occasions, as the complainants pretend? Secondly, Whether it was not too frequently exerted? As to the persons, he expected to be resolved, why lay-chancellors and commissaries should exercise this solemn part of ecclesiastical authority? Secondly, Why the bishops themselves did not take in the assistance of the dean and chapter, or some other clergymen of character? That the dignity and weight of the censure would be better understood this way; and that such an assistance in lower censures, and giving of orders, would be likewise serviceable.

"III. The provision for Ireland the king postponed to a consultation after the conference was ended."

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GIFT,
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When the king had ended this introductory discourse, the archbishop, kneeling, suggested to the audience how bountiful the providence of God had been to this kingdom, in setting so learned and judicious a prince at the helm. After this prefatory respect, he addressed himself to give his majesty satisfaction in the order proposed.

First, As to confirmation, he showed the antiquity of it at large; and that it had been all along practised in the Church from the apostles' times: that this had been the constant usage of Christendom, till some particular Churches had unadvisedly thrown it off of late; and that it was a very untrue suggestion, that the Church of England held baptism imperfect without confirmation. And this he made good by the rubric before this office.

Bancroft.

Cyprian
Epist. 73.
Hieron. ad-
versus
Luciferan.
Heb. vi. 2.

The bishop of London seconding the archbishop, affirmed that confirmation had not only the practice of the primitive Church, and the testimony of the fathers for its defence, but that it was over and above an apostolical institution, and a part of the Catechism expressly mentioned in the New Testament. That Calvin expounded the text in the Epistle to the Hebrews to this sense; and earnestly wished the custom might be revived in those reformed Churches which had suppressed it. The bishop of Carlisle reinforced this reasoning, and urged the text with great learning and pertinency. The bishop of Durham likewise cited St. Matthew, to justify the imposition of hands upon children. The result was, that for the clearer explanation that the Church of England makes confirmation neither a sacrament nor a corroboration of baptism, it should be referred to their lordships whether the office, standing as it did, might not be called an examination with a confirmation.

Robinson.

Mathew.

The point of absolution came up next. And here the archbishop cleared the practice of the Church of England from all abuse and superstition: for this he appealed to the "Confession" and "Absolution" in the beginning of the Communion-book. The king, perusing the book, found the allegation true, and acquiesced. But the bishop of London, stepping forward, told his majesty, that in the Communion-book there was another particular and personal form of absolution prescribed in the "Visitation of the Sick;" adding withal, that not only the Confessions of Augsburg, Bohemia, and Saxony, retained it, but that Calvin approved such a general confession and abso-

lution as is used in the Church of England. The form being read, the king liked it extremely, and called it an apostolical ordinance. The conclusion was, that the bishops should consult whether the "remission of sins" might not be added to the absolution rubric, for explanation sake. JAMES I.

Farther, the archbishop went on to speak concerning private baptism. He endeavoured to satisfy his majesty that the administration of baptism by women and lay persons was not allowed by the Church of England; that the bishops, in their visitations, censured this practice; and that the words in the office do not infer any such latitude. To this the king excepting, cited the office, and argued that the words could not be construed to less than a permission for women and lay persons to baptize. Here the bishop of Worcester struck in, and confessed that the words were somewhat ambiguous, and might be strained to that meaning: but by the counter practice of the Church, by women being censured upon this score, it seems reasonable to suppose the compilers of the office did not design to be so understood: and yet notwithstanding they couched the form in ambiguous expressions, because otherwise perhaps the book might not have passed in parliament. The bishop of London, not satisfied with this discourse, replied, that those learned and reverend persons who drew up the Common-Prayer, had had no intention to mislead the people by perplexed and double-meaning expressions, but really designed a permission to private persons for baptizing in case of necessity: and for this he appealed to their letters, some passages of which were then read. This bishop proceeded to prove this permission was agreeable to the practice of the primitive Church. To this purpose he urged the text in the second of the Acts, where three thousand are said to have been baptized in one day; that it was impossible, or at least improbable, that the Apostles could administer the sacrament to such numbers in so small a time; and that in those early days of Christianity there were no bishops or priests excepting the Apostles. He likewise cited the authorities of Tertullian and St. Ambrose. And here he laid open the absurdity and impiety of the opinion which supposes no necessity of baptism. Babington.

For this conjecture he cited the testimony of the arch-bishop of York.

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Tertull. de Baptism.
Ambros. in Ephes. iv.

To this the king replied, That the instance in the Acts was an extraordinary case; and that to argue from the practice of

WHIT-
GIFT,
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John iii. 5.

a Church in its beginning, and before it was perfectly formed, to a Church settled, and in a flourishing condition, was no good reasoning. He went on to maintain the necessity of baptism, and argued that the text in St. John, "Except a man be born of water," &c. was meant of the sacrament of baptism: and that he had defended this sense of the text against some ministers in Scotland. "It may seem strange to you, my lords," continued the king, "that I think you in England give too much to baptism, since fourteen months ago I argued with my divines in Scotland for ascribing too little to that sacrament; insomuch that a pert minister asked me, 'if I thought baptism so necessary, that if it were omitted the child should be damned?' I answered him, 'No; but if you, being called to baptize the child, though privately, should refuse to come, I think you will be damned.'" And here the king declared so far for the necessity of baptism, that when it could be administered by the clergy it ought never to be omitted; but the laity, he conceived, ought not to presume on that office in any case. And yet, which was somewhat particular, he disapproved all rebaptization, though that sacrament had been administered by private unauthorized persons.

Bilson.

The bishop of Winchester discoursing learnedly on this subject, affirmed, that to bar private persons baptizing in cases of necessity, was to cross upon all antiquity: that it was a maxim in divinity, that the minister was not of the essence of the sacrament. To this the king answered, "That though the minister was not of the essence of the sacrament, he was notwithstanding of the essence of the right and lawful ministry of it. His ground was the words in the Apostles' commission, 'Go ye therefore, and teach all nations, baptizing them,' &c. Upon the whole, it was resolved the bishops should debate afterwards, whether the words "curate, or lawful ministers," might not be inserted in the rubric for private baptism.

The king proceeding to the point of excommunication in instances of lesser misbehaviour, demanded, first, if the name might not be changed, and yet the same censure continued: or, secondly, whether an equivalent correction might not be substituted in lieu of it. The affirmative of this motion was unanimously assented to. An alteration of this kind had been often desired in the late reign; but the queen was resolved to

unsettle nothing, but abide by the first establishment. And JAMES I. thus the reader has the substance “of the first day’s conference.”

On the Monday following, the four complainants, Reynolds, Jan. 16. Sparkes, Knewstubbes, and Chadderton, were called into the privy-chamber, Patrick Galaway, minister of Perth, being likewise admitted. For the Church, the bishops of London and Winchester appeared, together with the deans and doctors above-mentioned. The king entering the room with prince Henry, made a short speech to the same effect with the former: only in the close he directed his discourse to the four Nonconformists, commending them for their modesty and learning, and letting them know he was ready to hear what they had to object. Upon this Dr. Reynolds reduced his remonstrance to four heads:

“ I. That the doctrine of the Church might be preserved in its purity according to God’s word.

“ II. That good pastors might be planted in all churches to preach the same.

“ III. That the Church government might be sincerely ministered according to God’s word.

“ IV. That the Book of Common-Prayer might be fitted to more increase of piety.”

First, He requested his majesty that the articles of religion passed in convocation in the year 1562, might be explained in some obscure passages, and enlarged in others. For instance, in the sixteenth article it is said, “ After we have received the Holy Ghost we may depart from grace:” he desired this expression might be explained to an evident consistency with the doctrine of predestination in the seventeenth article; and that this, or a resembling addition, might be inserted, “ Yet neither totally, nor finally.” He likewise desired that the nine orthodoxal assertions, as he called them, concluded at Lambeth, might be thrown into the Book of Articles.

Secondly, That whereas it is said in the twenty-third article, “ That it is not lawful for any one to take upon him the office of preaching or administering the sacraments in the congregation before he is lawfully called.”

Dr. Reynolds excepted to these words, “ in the congrega-

*The second
day's con-
ference.*

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tion," as if they implied a liberty for any man to perform these functions out of the congregation, though without the warrant of a regular calling.

Acts viii. 9.

Thirdly, He objected an inconsistency between the twenty-fifth article and the collects of confirmation. That the first confessed confirmation a mistaken imitation of the Apostles; whereas the second grounded the practice upon their example. As if the bishop in confirming children, and laying his hand on them, could convey the force of the apostolical benediction, and confer the visible graces of the Holy Ghost. He therefore desired the inconsistency might be considered, and the ground for confirmation examined.

676.

Here Reynolds was interrupted by the bishop of London. This prelate was somewhat disturbed to find these men fly off from their friendly declaration: for it seems some of them, both the evening before, and the morning of the conference, professed themselves ready to concur with the bishops; and that their intention was nothing but unity.

But now he perceived their business was to batter the constitution, and dismantle the Church. And therefore, kneeling to the king, he humbly desired the ancient canon might be remembered, that "*Schismatici contra episcopos non sunt audiendi.*" Secondly, That if any of these four agents for the Non-conformists had subscribed the Communion-book, and yet exhibited a remonstrance against it, he desired that they might be set aside, pursuant to an ancient council, in which it is decreed, that no man shall be allowed to plead against his own act and subscription.

Thirdly, He put Reynolds and his partners in mind, how much they were obliged to his majesty's clemency: that they were indulged a *non obstante* to the statute of the first of Elizabeth; and suffered to speak so freely against the liturgy and discipline established. And, lastly, since he perceived their business was to break the constitution of the Church, he desired to know what they drove at, and whether they were of Cartwright's opinion, and that in ceremonies and discipline we ought to conform to the Turks, rather than the Papists: and he was afraid they had something of this tincture by the singularity of their habit.

They ap-
peared in
Turkey
gowns.

The king, perceiving the bishop of London discoursed with

some heat, told him, that notwithstanding something offered by him might be excused, yet he could not help disliking the rest: his majesty thought the Millennary-agents reproaching the constitution of the Church, crossing upon what they pretended, and defeating the designs of the meeting, might justify the bishop's resentment. But then his majesty disliked the giving Dr. Reynolds so quick an interruption, who ought to have had the liberty of his method, and gone on his own length: and that if each party were suffered to chop in upon the other, and break their argument, the cause could never be fairly examined, nor the fort and the foible discovered. His majesty ordered, therefore, that either the doctor should proceed, or that the bishop should answer what had been already objected. And, that the memory might not be overburthened with objections, and the answers grow perplexed and foreign, it was thought fit to reply, in the first place, to Reynolds's exceptions. JAMES I.

As to what had been offered concerning "falling from grace," the bishop of London suggested that many people grew libertines by relying too much on predestination. This proposition, "If I shall be saved, I *shall* be saved," he called a desperate doctrine: that it was a contradiction to orthodox belief: that in the points of predestination we should infer rather *ascendendo* than *descendendo*: that is, we should conclude our election from the regularity of our lives, rather than rest our happiness upon any absolute irrespective decree, and that if God has ordained us to happiness, no habits or degrees of wickedness can make us miscarry. From hence the bishop went on to acquaint his majesty with the doctrine of the Church of England touching predestination. And here he cited the 17th article, part of which runs thus: "We must receive God's promises in such wise as they be generally set forth to us in Holy Scripture: and in our doings, the will of God is to be followed, which we have expressly declared unto us in the word of God." This part of the article the king approved: and, after having discoursed upon the text of St. Paul, "Work out your salvation with fear and trembling," he left it to be considered, whether it was proper to throw in a supplemental expression for satisfying the doctor's scruples, by putting in the word 'often,' or the like: as thus, "We may *often* depart from grace." Upon the whole, his majesty wished the doctrine of predestination might be handled with great caution and re-

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serve: that, unless the matter was discreetly managed, one of these two bad consequences would follow: either the omnipotency of God might be questioned, “by impeaching the doctrine of his eternal predestination,” or a desperate presumption encouraged “by inferring the necessary certainty of standing and persisting in grace.”

It was answered, Reynolds’s second objection was trifling and insignificant: for by the doctrine and practice of the Church of England, none but a licensed minister was allowed to preach, or administer the holy eucharist: and, as for private baptism, the king told the complainants he had taken order for that with the bishops already.

When they came to the point of confirmation, the article and the collect being read, the king pronounced Reynolds’s pretence of a contradiction no better than a cavil.

And the ground of confirmation having been demanded, the bishop of London, after repeating what had been delivered in the first day’s conference, added, that the thing which vexed Reynolds and his party was, that they had not the management of this usage in their own hands: and that if every pastor was allowed to confirm his own parish, they would reckon it an apostolical institution: and here he desired doctor Reynolds to speak his mind. The doctor seemed to assent, and in defence of his opinion added, that since there are six hundred parishes in some dioceses, he thought it very inconvenient to reserve confirmation to the bishop alone. And that it was impracticable for the diocesan to examine all those who came to be confirmed. As to the matter of fact, Bancroft answered, that it was the custom of the bishops, in their visitations, to appoint either their chaplains, or some other ministers, to examine those who came to be confirmed: and that they seldom confirmed any, unless their qualifications were certified by their own parsons or curates. To the opinion, his answer was, that none of the Fathers ever admitted any to confirm, under the order of bishops. And that even St. Jerome (though otherwise no friend to the episcopal superiority) confesses the executing this function was solely lodged with the bishops; though with this qualifying expression, “ad honorem potius sacerdotii, quam ad legis necessitatem.” However, this Father owns the bishops ought to have a power paramount to the rest of the clergy: and that, without this

*Ecclesiæ
solus in
summi sa-
cerdotis dig-
nitate pen-*

prerogative, the unity and well being of the Church could not subsist. And here the bishop of Winchester challenged Reynolds to show from antiquity, that ever any, excepting bishops, confirmed: to this he subjoined, that this usage was partly practised to examine children, and give them the bishop's blessing, with imposition of hands; and partly to inquire whether they had been baptized in an orthodox form, or not: for some of the ancient heretics threw their misbelief into their baptism. For instance, the Arians baptized "in nomine Patris majoris, et Filii minoris." Some administered this sacrament "in nomine Patris, per Filium, in Spiritu sancto." And others, omitting the Trinity, baptized in the death of Christ, &c. For these reasons, the Catholic bishops found themselves obliged to examine those who were baptized in distant places. And, if they were right in the article of baptism, they confirmed them; if not, there was an opportunity for instruction.

JAMES I.
*det; cui si
 non exors
 quædam et
 ab omnibus
 eminens
 detur po-
 testas, tot in
 ecclesiis
 efficerentur
 schismata
 quot sacer-
 dotes.
 In the name
 of the Father
 as the
 greater, and
 the Son as
 the less.*

677.

*In the name
 of the
 Father, by
 the Son, in
 the Holy
 Ghost.*

The king, concluding this point, reflected on St. Jerome for affirming bishops were not of divine institution; and closed the remark with this maxim,—“No bishop, no king¹.” And, as for confirmation, he conceived the permitting it to every parish-priest was neither decent nor suitable to the solemnity of that function. However, whether the word “examination” might be added to the Rubric, was referred to the bishops, pursuant to what was resolved the day before. And now his majesty ordered Dr. Reynolds to proceed.

This divine, desiring not to be taken for a schismatic, and protesting he had no intention of making any person uneasy, objected a defect in penning the Thirty-seventh Article; where it is said “the bishop of Rome has no authority in this land.” This he thought insufficient, without the addition, “nor ought to have any.” This odd scruple made the king and the lords of the council laugh. However, that the doctor might not pretend anything overlooked, the king answered, “Habemus jure quod habemus.” And therefore, by saying the pope had no authority here, it is supposed he has no right to any.

This and other slender exceptions occasioned some rallying discourse: and, particularly, one of the council mentioned Butler of Cambridge's description of a Puritan. “A Puritan,” says this gentleman, “is a Protestant frightened out of his

¹ “No bishop no king” has long since become a proverb, the truth of which is confirmed by the experience of many nations.

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wits." And here the bishop of London reminded the king what Monsieur Rognie, the French ambassador, had lately declared, upon the view of our solemn service and ceremonies. "If the reformed Churches in France," says this ambassador, "had kept on the same advantage of order and decency, I am confident there would have been many thousand Protestants in that country more than there are." And yet the English Non-conformists stumbled at a grain of sand, and "strained at a gnat," to the disgrace and disturbance of the whole Church.

After this, Reynolds moved that this proposition, "the intention of the minister is not of the essence of the sacrament," might be added to the "Book of Articles." His reason was, because, as he affirmed, some in England had preached this intention necessary. And here he repeated his request concerning the Lambeth Articles. The king wholly disapproved the first part of the motion: he thought it very improper to charge the articles all along with negative propositions; that this method would swell the book to an unserviceable bulk, and confound the reader; and, by way of instance, took notice of the disadvantage of this expedient in one Craig, a Scotch minister, who, with his disclaiming forms of "I renounce and abhor his detestations" (meaning the pope) "and abrenunciations," did so amaze and overset the understandings of the vulgar, that they despaired of reaching his instructions, and so either relapsed into popery or continued in their former ignorance. "Now," says the king, "if I had been obliged to run the length of this minister's form, I must have carried my faith in my pocket-book, for my head would never have held it. But because you lay some stress upon intention," continues his majesty, "I will apply it thus: if you come hither with a fair intention to be farther informed and satisfied with reasonable answers, the conference will have a good issue; but if your intention is to stand out against argument, and go off with the same sentiments you brought hither, this is a demonstration that the quality of the intention is very material and essential to the present business."

As to the Lambeth Articles, the king declined making any answer, as not being informed of the meaning of them. To acquaint his majesty with this matter, the bishop of London, as it is probable, suggested the occasion; and that, upon the score of some controversies in Cambridge, the archbishop

of Canterbury sent for several divines of character, who JAMES I.
 couched their opinions in nine assertions; and that these
 were sent down to Cambridge for silencing the dispute. To
 this the king returned, that when such questions happened
 amongst scholars, the best method was to determine them in
 the universities, and not stuff the articles with theological
 conclusions. And, farther, that the punishing those who
 began the error and started false doctrine, was the most
 eligible expedient: for, were the articles never so much
 multiplied and guarded, there was no preventing contrary
 opinions: for which way can mistakes be suppressed before
 they are discovered?

Here the dean of St. Paul's, kneeling, humbly desired leave *Overall.*
 to speak, acquainting his majesty that he was particularly
 concerned in this matter; that a controversy had lately hap-
 pened between himself and some others in Cambridge, upon
 an assertion maintained by him there. The proposition was,
 that whoever (though before justified) committed murder,
 adultery, treason, or any other great crime, was, *ipso facto*,
 obnoxious to the wrath of God, and in a state of damnation,—
 that is, they were in this sad condition, “quoad præsentem
 statum,” till they recovered by repentance. But to this the
 dean added, that those who were justified according to the
 “purpose of God's election,” though they might—and some-
 times actually did—fall into grievous sins, and by consequence
 into a present state of wrath and damnation, yet they never
 fell totally from grace, nor finally from justification; but were
 in time recovered, by God's Spirit, to a lively faith and repent-
 ance. This doctrine, the dean observed, was opposed by some
 people, who held that all persons once truly justified, though
 they fell off into the grossest immorality, continued in a state
 of justification, even before they repented their miscarriage,—
 nay, though forgetfulness or sudden death carried them into
 the other world, without recollection or reforming, they should
 nevertheless be justified and saved.

His majesty declared strongly against this doctrine, and,
 dilating upon the subject of predestination, affirmed a necessary
 connection between true faith and good practice; concluding
 that faith without works was no better than hypocrisy: for,
 notwithstanding election did not depend on human virtue,
 which is mutable and uncertain, but on God's eternal decree,

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yet the necessity of repentance for known sins is such, that, without this condition, remission cannot be expected.

After this, Dr. Reynolds complained the Catechism in the Common Prayer was too short, and the supplemental one drawn up by Nowell, late dean of St. Paul's, too long for children to get by heart. He desired, therefore, an uniform catechism might be made for general use.

The king approved the doctor's motion, though not without limitation. His majesty would have a catechism drawn in the plainest and most comprehensive affirmative terms that might be. And here he found fault with a great number of ignorant catechisms made use of in Scotland; and thus, what was fundamental doctrine in one congregation would hardly pass for truth in another. He therefore suggested the observing two rules: first, that perplexed and curious questions might be avoided in the rudimental principles of Christianity; secondly, that our agreement with the Papists in some points should not be censured as a mark of heterodoxy.

Dr. Reynolds, going on with his remonstrance, took notice of the profanation of the Sabbath, and the contempt of his majesty's proclamation for reforming that abuse. He desired therefore some stronger remedy might be applied. This motion was unanimously agreed to.

His next request was for a new translation of the Bible, for that the versions now extant did not come up to the meaning and force of the original. And of this he gave three instances: first, Gal. iv. 25, the Greek word *συστοιχεῖ* is turned "border-eth," and that this translation is wide of the apostle's sense; secondly, Psalm cv. 28, the version runs, "they were not obedient," whereas the original speaks a counter sense, and says "they were not disobedient;" thirdly, Psalm cvi. 30, the translated text stands, "then stood up Phineas and prayed," whereas the Hebrew has it, "Phineas executed judgment¹." But these being old objections, and already answered in print, little notice was taken of them. Only the bishop of London observed, that, if every man's humour was to be pleased, there would be no end of translating. Upon this, the king declaring he never saw a good English translation of the Bible, though he thought that done at Geneva the worst, wished that under-

¹ The accurate emendation of our versions is wonderfully facilitated by those invaluable works, "The Englishman's Hebrew and Greek Concordances of the Bible," recently published by the Central Tract Depôt, and which every clergyman and biblical scholar ought to possess.

taking might be resumed. The method suggested by his JAMES I.
 majesty was this: he would have the version made by the
 most eminent in the universities; after this, to pass the test
 of the bishops and other learned ecclesiastics. Upon this
 review, it should be laid before the privy council; and, in the
 last place, ratified by his majesty's authority; and then the
 whole National Church be obliged to make use of this version
 and no other. His majesty likewise threw in a caution against
 marginal notes. His reason for barring this exposition was,
 because the comment on the Geneva translation was untrue,
 seditious, and treasonable. For instance, the marginal note
 upon the first chapter of Exodus allows disobedience to kings;
 and the annotation in the second book of Chronicles censures
 Asa for stopping short at the deposing his own mother, and
 not executing her. To these exceptions against the Geneva
 version I shall add two more: the first is, their comment upon
 the twelfth verse of the second chapter of St. Matthew. Here
 they tell us, "that promise ought not to be kept where God's
 honour and preaching of his truth is hindered, or else it ought
 not to be broken." Now, what loose casuistry is this! What
 a desperate expedient is this to justify the breach of promises
 and oaths, of contracts between man and man! How pre-
 cariously must private justice and public duty stand upon this
 bottom! What rebel ever insulted his sovereign without this
 colour upon the revolt! What insurrections and confusions
 have been raised in England, Scotland, and Ireland, in France,
 the Netherlands, and Germany, upon this pretence!

The plea for these scandalous commotions is commonly this:
 that God's honour, and the preaching of the truth would be
 hindered by good faith and passive behaviour. The Geneva
 translators' next extraordinary comment is on Rev. ix. 3, where
 the locusts that come out of the smoke are said to be "false
 teachers, heretics, and worldly subtle prelates, with monks,
 friars, cardinals, patriarchs, archbishops, bishops, doctors,
 bachelors, and masters." This is downright Lollardism, and
 looks like a strong composition of ignorance and ill-will.
 What broad innuendoes are here upon the English clergy,
 upon the archbishops and bishops, upon all those distinguished
 with degrees in the universities? These, it seems, according
 to the skill and charity of the Genevian annotators, are part of
 the locusts that came smoking out of the bottomless pit.

*The king
 dislikes mar-
 ginal notes
 in the trans-
 lation of the
 Bible, and
 why.*

Verse 19.

Chron. ii.
 16.

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GIFT,
Abp. Cant.

To return: the king concluded this point with this advice, "that errors in matter of faith (supposing there were any such) should be rectified: but as for things of indifferency, the way would be to explain them to an inoffensive sense. For as Bartolus de Regno observes, 'a king with some defects is more eligible than a change of government;' so the bearing with some blemishes in a Church is preferable to innovation. And if these are your greatest grievances," continues the king, "you might have applied to some more private method for satisfaction, and not have given me the trouble of such importunate complaints."

*Seditious
books com-
plained of.*

Dr. Reynolds went on, and desired his majesty that seditious books might be suppressed, or, at least, the reading them restrained, and permitted only to a few: that the liberty of publishing such books unsettled young people in the universities, debauched their principles, and spread the infection through the kingdom. And here he instanced in a tract, "*De jure Magistratus in subditos*," written by Ficlernus, a papist, and applied against the late queen, in favour of the pope, who is supposed her superior. The bishop of London apprehending an innuendo against himself, answered, "there was no such unrestrained dispersing of these books as was complained of. And that the government allowed none to buy them, excepting such as Dr. Reynolds, who was supposed to read them in order to confutation. And besides, the private importation of such books could not always be discovered. And lastly, he observed, the author of this book '*De jure Magistratus*,' was a great disciplinarian; from whence it appeared what advantage those people gave the papists, who, *mutatis personis*, could apply their own arguments against princes of their religion."

Here the lord secretary Cecil interposed, and took notice that the liberty of dispersing popish and seditious pamphlets had done a great deal of mischief: and especially a tract called "*Speculum Tragicum*." "That," says the king and the lord H. Howard, "is a dangerous book, both for matter and intention." The lord chancellor Egerton distinguished these pamphlets into Latin and English, and concluded the last did most harm. To this the lord secretary answered, "that the bishop of London, and nobody else, had done his utmost to suppress them." Upon this occasion the king told Dr. Reynolds, "he

was a better collegeman than a statesman ; for if his intention was to reflect upon the bishop of London for permitting those books a free pass lately published upon the controversy between the secular priests and Jesuits, he desired him to acquaint his party, that the bishop had been misreported and injured ; that his conduct in this affair was altogether defensible ; that he did nothing without warrant from the privy-council ; and that by this management a contest was kept up between those Roman Catholics, and his majesty's title discussed to advantage." The lord Cecil added, "that the publishing these books was tolerated because they confuted the pretensions of Spain to this crown." The lord treasurer observed, "that Dr. Reynolds might have discovered a farther serviceableness in those books : for that now by the testimony of the Roman Catholic priests themselves, the late queen and the government are cleared of the imputation of executing papists purely upon the score of their religion ; for in these books it is plainly confessed by themselves they were executed for treason."

And now Reynolds, having gone over his first point relating to doctrine, went on to the second, and desired every parish might be furnished with learned ministers. The king replied, he had already consulted the bishops in this business, and found them ready to engage ; but that, as sudden evacuations were dangerous in the body natural, so sudden changes were no less in the body politic ; that this affair could not be presently adjusted ; that the universities could not furnish a sufficient incumbent for every parish ; that his majesty was convinced there was more learning than maintenance in this kingdom ; and that therefore a fund for encouragement ought to be provided in the first place. In the meantime, ignorant ministers, if young, and no hopes of their improvement, ought to be removed ; if old, their death should be waited for ; and that Jerusalem could not be built in a day.

The bishop of Winchester acquainted the king that this insufficiency of the clergy was not chargeable upon the misconduct of the bishops, but partly upon lay-patrons, who presented mean clerks, and partly upon the indulgence of the law, which allows very slender qualifications ; and if the bishop refuses to admit them upon the terms of the constitution, a *quare impedit* is presently issued out against him.

Here the bishop of London addressed his majesty, kneeling,

JAMES I.

Nonconformists' agents more for a sufficient ministry in every parish.

WHIT-
GIFT,
Abp. Cant.

and humbly desired that, since it was a time for moving petitions, he might have leave to put up two or three.

First. He requested care might be taken for a praying clergy; for, notwithstanding there are many serviceable branches in the sacerdotal function, such as absolving penitents, praying for the people, pronouncing the blessing, and administering the sacraments, it is now come to that pass, that some men conceive the duty of a parish priest is wholly confined to the pulpit; where, God knows, they sometimes manage with a very slender share of either learning or discretion; that preaching has such an ascendant in their fancy, that the celebrating divine service is scandalously neglected; that some ministers chose rather to walk in the church-yard till sermon time, than join in public prayer. He confessed, that for missionaries in unconverted countries where a Church was planting, preaching was most necessary; but where Christianity had been a long time settled, he thought pulpit-harangues were not the only business of a pastor; and that this exercise ought not to be pressed to the neglect of other parts of his office.

This motion was much approved by his majesty, who very smartly took notice of the hypocrisy of the times, who lodged all their religion in their ears; that laziness led the people to this mistake, and that hearing being the easier part, they were not willing to undergo the labour and preparations required in devotion.

The bishop of London's second request was, that till men of learning and sufficiency might be procured for every congregation, godly homilies might be read, and their number increased; and that those men who had decried these instructions would retract their censures, and endeavour to bring them into credit. The bishop's reason for recommending the homilies was, because every clergyman that could pronounce well had not a talent for composing. Both the king and the Millenary agents thought the request reasonable.

The lord chancellor objected, that livings rather wanted learned men, than learned men livings; and therefore, arguing against pluralities, he wished some might have single coats, before others had doublets, and that himself had managed in this manner, in bestowing the benefices in the king's gift. To this the bishop of London replied, "I commend your

honourable care that way; but a doublet is necessary in cold weather." JAMES I.

The bishop of London's last motion was, that pulpits might not be turned into batteries, and every malcontent allowed to play his spleen upon his superiors from thence. The king received this complaint very graciously, showed his resentment of that lewd custom, and threatened to make an example of those that should misbehave themselves in that manner. He concluded with an admonition to the plaintiffs, that every man should solicit for peace: and if any thing happened amiss in the Church officers, not to let fly personal reflections in the pulpit, but appeal in the first place to the ordinary, then to the archbishop, from thence to the lords of the council; and if all these applications fell short of a remedy, then to bring the grievance before his majesty himself. The king chalked out the method, and threw in the degrees, upon the bishop of London's suggesting, that, in case he left himself open to receive all complaints in the first instance, neither his majesty would be quiet, nor his under officers regarded. For the criminal, when pressed with discipline, would immediately threaten the carrying his complaint to the king.

Dr. Reynolds came now to his fourth general head relating to the Common Prayer; though here he leaped over the third, and broke through his own order. And here he complains of the pressing subscription, that this imposition was a great hindrance to a learned ministry, and therefore desires it may not be required as formerly; that this rigour had kept a great many good men out of business, who, notwithstanding, were not unwilling to subscribe the articles of religion, and the king's supremacy, pursuant to the statutes. But the reason of backwardness against subscribing without exceptions was, because the Common Prayer enjoins the reading the Apocrypha in the Church; notwithstanding some chapters in those books deliver apparent errors and contradictions to canonical scripture. For instance, Eccus. xlviii. 10, Elias in person is said to come before Christ: whereas, in the New Testament this forerunner of our Saviour was only to be Elias in representation, or resemblance of character,—that is, John the Baptist.

The objections against the Common Prayer and subscription.

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Matt. xi. 14.
Luke i. 17.

To this the answer was, first, that this censure of the

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apocryphal books were old exceptions of the Jews revived by St. Jerome, who was the first that called them Apocrypha; and that upon Ruffinus's challenge, he in some measure renounced his opinion.

And here the bishop of Winchester suggested St. Jerome's distinction, that these books were "canonici ad informandos mores, non ad confirmandam fidem." This distinction he said must be maintained, unless we could drop several councils. The king, to cut the controversy even between both parties, declared his dislike of reading all the apocryphal books in the Church, or any chapter containing erroneous doctrine; and then ordered Dr. Reynolds to mark the offensive passages, and bring them to the archbishop of Canterbury against the next Wednesday.

*Which was
to be the
third day's
conference.*

The king, retiring into an inward chamber, and finding at his return the lords of the council and others canvassing the text of Ecclesiasticus, and insisting strongly upon the objection, called for the book, made a short comment upon the chapter, and proved the author's sense mistaken by Dr. Reynolds.

*In the Do-
minical
Gospels.*

These Nonconformists' next scruple against subscription was, because it is twice inserted in the Common Prayer-book, "Jesus said to his disciples:" whereas it is plain in the original he spoke to the Pharisees. The king's determination was, that the word "disciples" should be omitted, and "Jesus said" be printed in a different letter, that these words might appear to be no part of the text.

The third objection against subscription was, the interrogatories in baptism. And here Mr. Knewstubbs urged, from St. Austin, that "baptizare" was "credere;" but his discourse was so perplexed, that the audience could not collect his meaning. However, the bishop of Winchester, guessing what he drove at, cleared St. Austin's citation, and wrested the advantage of it from Knewstubbs. This was done by quoting an explanatory passage from St. Austin's assertion; the words are these: "qui peccavit in altero, credat in altero." The king seconded the bishop of Winchester in the defence of the interrogatories, and argued,

First. That the question ought to be put to the party principally concerned in the sacrament.

Secondly. He brought a resembling precedent at his corona-

tion in Scotland, where notwithstanding his infancy, interrogatories were used in the solemnity. JAMES I.

Mr. Knewstubbs's next exceptions were, at the cross in baptism.

First. The weak brethren, he alleged, were offended at this usage; and that giving this offence ought to be avoided by the apostles' doctrine.

To this the king began his answer with that general rule of the Fathers: "Distingue tempora, et concordabunt Scripturæ;" that there was a great difference between the present state of the Church, and that in St. Paul's time; that then Christianity was newly emerged out of Paganism, and not thoroughly settled, and therefore required a different conduct.

Rom. xiv.
2 Cor. viii.

Secondly. He asked them how long they intended to be weak? and whether five-and-forty years was not long enough for them to get strength in?

Thirdly. He desired to know who they were that pretended this weakness? "For," says he, "we do not require subscriptions from laicks and idiots. This test is only put to the clergy; and these, I hope, are not to be dieted with milk, but in a condition to feed others."

Fourthly. "It was to be feared," continues the king, "that some of them were strong enough, if not headstrong; and how much soever they might plead their weakness upon this occasion, yet several of those now represented thought themselves able to instruct him, and all the bishops in the kingdom."

Mr. Knewstubbs' next objection against the cross was put into three questions.

First, He desired to know whether the Church had a power to institute an external significant sign?

To this was answered, First, That he mistook the use of the cross; and that the Church of England used it in baptism no otherwise than as a ceremony.

Secondly, The Nonconformist precedent was urged to disable their question: for, in ordaining their pastors, they use imposition of hands, and that upon the score of its being a significant sign.

Thirdly, The bishop of Winchester argued, that kneeling, lifting up the hands, and striking the breast, in prayer, are all warrantable and yet significant gestures.

Lastly, The dean of the chapel urged, That the Jews, as the *Mountague*.

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Rabbins write, had added both signs and words to the institution of the Passover: for instance, when they eat the four herbs prescribed by Moses, they did it with this expression, "Take, and eat these in remembrance," &c. And when they drank the wine, it was with this form of their own invention, "Drink this in remembrance," &c. And upon these supplemental ceremonies our Saviour instituted the holy eucharist: and by his approbation of this practice in the Jews, it follows, the instituting a significant sign is within the power of the Church. With these answers the king was fully satisfied.

Bridges.
Andrews.

And here his majesty desired to be informed concerning the antiquity of the use of the cross. Dr. Reynolds confessed this custom would reach to the apostles' times; but the difficulty was to prove it so anciently used in baptism: this scruple was thrown in by the dean of Sarum; but the matter was sufficiently cleared by the dean of Westminster, who proved from Tertullian, Origen, St. Cyprian, and others, that the cross was used "in immortal lavaero." And here the bishop of Winchester, as the publisher of the controversy supposeth, argued, that the cross was used in baptism in the reign of Constantine the Great. "And is it come to that pass," said the king, "that we must charge Constantine with superstition and popery? If it was used so early, I see no reason why it may not be continued."

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Mr. Knewstubbs' second question was, That granting the Church's authority reached to the imposing significant signs, whether this power might be used where our Saviour had ordained one already? In this case all additionals are no less derogatory to our Saviour's institution than if a subject should presume to fix his own seal to an instrument signed by the broad seal of England. To this the king answered, "There was a disparity in the case: for the sacrament of baptism was altogether completed before they came to the ceremony of the cross."

It was objected in the last place, that supposing the power above mentioned lodged in the Church, the difficulty was, how far this power might bind the conscience without encroachment upon Christian liberty? The king somewhat disturbed at this question, told Knewstubbs, "*Le roy s'avisera*:" that he thought the scruple had a strong tincture of Anabaptism; that it was like one Black's reasoning, a young Scotch min-

ister, who at a late public conference told the king, that he would conform to his majesty's settlement in points of doctrine; but as for matters of ceremony, they were to be left to every man's liberty. "But," continues the king, "I will have none of that; I will have one doctrine, one discipline, one religion both in substance and ceremony; and therefore I charge you never speak more to that point, how far you are to obey the orders of the Church." JAMES I.

Dr. Reynolds objected the instance of the brazen serpent beaten to powder by Hezekiah, because it had been abused to idolatry. By parity of reasoning he conceived the use of the cross should be suppressed, because it had been carried to a superstitious excess in times of popery. The substance of the king's answer was, "That the objection they rested upon, made against them: for the superstitious abuse of it in times of popery, supposing it true, is an argument it was commendably used in the ages prior to popery. I have lived," continues the king, "amongst these men ever since I was ten years old, and nothing has given me a stronger aversion for their system, than their peremptory disapproving every thing used by the papists: this way of reasoning I detest. For my part, continues the king, I know no way of avoiding the charge of novelty objected by the Papists, but by answering, that we retain the primitive use of things, and only stand off from the innovations brought in by themselves: but Dr. Reynolds's argument would bring us to renounce the Trinity, and many other fundamental points of belief, because they are common to us and the Papists. Dr. Reynolds," says the king, with an air of pleasantry, "they used to wear shoes and stockings in times of popery, have you therefore a mind to go bare-foot?" Secondly, the king desired to know what resemblance there was between the brazen serpent, a material visible thing, and the sign of the cross made in the air? Thirdly, he was informed by the bishops, and found their account true, that the Papists themselves never attributed any spiritual grace to the sign of the cross in baptism. And lastly, that material crosses worshipped by the people in times of popery, were already demolished¹.

The next scruple was the wearing of the surplice: this, as

¹ The learning and good sense of king James seem to have been very advantageously displayed in these somewhat amusing conferences.

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GIFT,
Alp. Cant.

it was pretended, was a habit worn by the priests of Isis. This objection, the king said, was somewhat new, because it was usually called "a rag of popery." But granting the supposition, we do not live now amongst heathen neighbours, and therefore there was no danger of reviving Paganism. Farther, since it was evident from antiquity, that the clergy officiated in a distinguishing habit, and particularly in whiteness, he saw no reason why it might not be still continued in this Church; laying down this admirable rule, that no society of Christians ought to separate farther from the Church of Rome, either in doctrine or ceremonies, than she had departed from herself, and her own primitive condition.

Dr. Reynolds excepted at those words in the Office of Matrimony; "with my body I thee worship." The king, perusing the place, said, he was made to believe this phrase imported no less than divine worship; but upon inquiry he found the words sink to a much lower and inoffensive sense: "A gentleman of worship" being a customary expression with the English; and thus it agrees with the apostle's precept of giving "honour to the wife, &c."

The dean of Sarum took notice the ring in marriage was scrupled by some people, but this was approved by Reynolds; and the king thought they could scarcely be well married without it.

Dr. Reynolds objected against the churching women by the name of purification; but this scruple was over-ruled by his majesty, and easily dropped, as far as it appears.

Under the fourth general head touching discipline, Dr. Reynolds objected against lodging ecclesiastical censures in the hands of lay-chancellors, that this custom had been condemned by the bishops themselves. For by the canons made in the year 1571, it is decreed, that lay-chancellors should not excommunicate in matters of correction. And in the years 1584 and 1589, they are barred the exercise of this discipline in matters of instance: and that such censures are only to be exerted by those who have the power of the keys. To this the king answered, he had already discoursed this matter with the bishops, and that convenient orders should be taken about it. And now Reynolds being commanded to proceed to something new, desired, that according to certain provincial constitutions, the clergy might have meetings once in three weeks.

First, In rural deanries to have the liberty of prophesying, JAMES I.
pursuant to archbishop Grindal, and other bishops' requests, to
her late majesty.

Secondly, That those things which could not be resolved there, might be referred to the archdeacon's visitation.

And, Thirdly, From thence to the diocesan synod, where the bishop with his presbytery should determine such points as proved too difficult for the other meetings.

The king, mistaking the drift of this discourse, appeared somewhat concerned; "he thought they aimed at a Scotch presbytery, which," says he, "agrees as well with monarchy as God and the devil. Then Jack, and Tom, and Will, and Dick shall meet, and at their pleasures censure me and my council, and all our proceedings: then Will shall stand up and say, 'It must be thus:' then Dick shall reply, and say, 'Nay, marry, but we will have it thus.' And therefore here I must once reiterate my former speech, 'Le roy s'avisera:' stay, I pray you, for one seven years before you demand that of me; and if then you find me pursy and fat, and my windpipes stuffed, I will perhaps hearken to you: [for my health's sake,] for let that government be once up, I am sure I shall be kept in breath; then shall we all of us have work enough, both our hands full. But, Dr. Reynolds, till you find that I grow lazy, let that alone."

After this the king reminded Dr. Reynolds, that he had several times argued for his supremacy, which his majesty liked well, and then put this question to him, whether he knew any persons at the conference or elsewhere, who, approving the present ecclesiastical government, disliked the regale? Dr. Reynolds answered, "No." "Why then," says the king, "I will tell you a story: when the reformation in England was overturned by queen Mary, we found the effect of it in Scotland; for then Knox, in a letter to the queen regent, (a virtuous and moderate lady) told her, she was supreme head of the Church, and charged her, as she would answer it before God's tribunal, to take care of Christ's evangel, and of suppressing the popish prelates who withstood the same. But how long, think you," continues the king, "did he hold this opinion? Why, till by her authority the popish bishops were disabled, till himself and his adherents were settled and grown strong enough to work by themselves: for when they found themselves in the scat, and big enough to manage the contest, they

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deserted from her supremacy, undertook the business without her; and pretending new degrees of illumination, reformed farther at discretion. How they used that poor lady, my mother, is well known, and lies uneasy in my memory. This princess only desired a private chapel for herself and a few of her family, to serve God in the way of her education: but her supremacy, it seems, was not considerable enough to procure this liberty. And how they treated me in my minority, you all know." Then, putting his hand to his hat, "My lords the bishops," says his majesty, "I may thank you that these men plead thus strongly for my supremacy: they think they cannot make their party good against you, but by appealing to the regale; as if you, or some of your friends, were disaffected to it. But if once you are out, and they in place, I know what would become of my supremacy: for no bishop, no king, as I said before." And after having asked them, whether they had any thing more to object, and Dr. Reynolds answering, "No;" the king appointed the next Wednesday following for the conference: and rising from his chair, says he, "If this be all they have to say, I will make them conform, or I will harry them out of this land, or else do worse." And this is the sum of the second day's conference. The king was extremely admired by the lords for the quickness of his apprehension, his skill in controversy, and his dexterity in disentangling difficulties. One of them said, his majesty spoke by the instinct of the Spirit of God. The lord chancellor, as he went out, told the dean of Chester, he had often heard, that "Rex est mista persona cum sacerdote," "That a king is part of a parson¹;" but that he never saw an instance of the truth of that assertion till now.

*The third
day's con-
ference.*

Upon Wednesday all the bishops and deans above-mentioned attending at the court, were called into the privy chamber: and since the high commission was to be the subject of this day's debate, the civilians following were admitted, viz. Sir Daniel Dunne, Sir Thomas Crompton, Sir Richard Swale, Sir John Bennet, and Dr. Drury.

As to the high commission, the king took notice of his being informed, that the persons authorized were too many and too mean: that the matters they took cognizance of, were of too slender a consideration, and such as the ordinaries

¹ This proverb admirably expresses the peculiar character of kingship which I have already described as the key of the British constitution.

might manage in their own courts: and that the branches of this authority granted out to diocesans were too large. To all these objections the archbishop of Canterbury returned a satisfactory answer; which, in regard the High Commission court is put down, I shall forbear to mention. One of the lords of the council complained on behalf of the nonconformists, that men were pressed to subscribe more than the law required; and that by the oath *ex officio* they were forced to accuse themselves. JAMES I.

As to the three articles formerly mentioned, which the clergy were obliged to subscribe, the king having read them, dilated upon the subject, and showed how necessary this expedient was for preserving peace: that since the bishop was to answer for every clerk in his diocese, it was reasonable he should know the sentiments of those he admits. Now the best way to understand the inclinations of his clergy, and prevent faction, was to offer them the test of subscribing at their first entrance. And lastly, that the temper of people, whether they were like to prove peaceable or turbulent, might be discovered by this trial.

As to the exception of the oath *ex officio*, the archbishop replied, the proceedings were not so rigorous as were pretended: for if any article touched life, liberty, or scandal, the party was not bound to answer to such interrogatories, neither was it the custom to press him to such a discovery. The lord chancellor and the lord treasurer seconded the archbishop in defence of the oath *ex officio*, and pleaded both the use and necessity of it in several courts and cases. After this the king, undertaking the argument, observed, that whereas temporal courts took notice only of matters of fact, but in courts ecclesiastical it was requisite to make use of methods of prevention, and look into fame and scandal. And here the king went through all the circumstances of the subject, gave a description of the oath *ex officio*, laid down the ground upon which it stood, and justified the wisdom of the constitution. After this he discoursed upon the manner of proceeding, and the serviceable consequences of such a provision; and all with so much method, brevity, and strength, that the lords, and all the audience, were exceedingly surprised; insomuch that the civilians declared, that they could not with many hours' preparation have handled the argument so much to advantage.

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After this the king, the bishops, and the temporal lords held some discourse touching the quality of persons and causes in the High Commission, taking off the charge of the writ “De excommunicato capiendo,” punishing recusants, furnishing Ireland, Wales, and the Northern borders with preachers. And lastly, the providing a sufficient maintenance for the clergy, and settling a learned incumbent in every parish, was farther debated. And to make these things practicable and easy, the king ordered a committee of the bishops and privy council to consult upon ways and means.

After this the king ordered Dr. Reynolds, and the other three agents to be called in: and now the few alterations, or rather explanations, of the common prayer agreed by the king and the bishops, were read to them. Those mentioned by the dean of Chester, who published the conference, are as follow.

First. In the rubric of absolution, remission of sins is added.

Secondly. Whereas it was said in the rubric for private baptism, “First, Let them that be present,” &c. It is now altered thus, “First, Let the lawful minister, and them that be present,” &c.

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Thirdly. Examination is added, as doctor Barlow observes, to the title of confirmation. This difference in the two books stands thus: that printed in queen Elizabeth’s time has only these words; “Confirmation; wherein is contained a catechism for children.” The other of king James’s reign is somewhat larger; the rubric begins thus: “The order of confirmation, or laying on of hands upon children baptized, and able to render an account of their faith, according to the catechism following.”

Common
Prayer-
book,
printed, A. D.
1599, com-
pared with
that printed
A. D. 1615.
*In the second
paragraph
of the rubric.*

Fourthly, “Jesus said to them,” to be put twice in the dominical Gospel, instead of “Jesus said to his disciples.” Farther, the king, turning to the office of private baptism, suggested, that where the words stood, they baptized not children, it should be read, “they caused not children to be baptized.” And in the same paragraph of the rubric, instead of “then they ministered,” should be put, “the curate, or lawful minister present shall do it on this fashion.” To these explanations Reynolds and the other agents for the Nonconformists assented, seemed

*The agents
for the Non-*

satisfied with the result of the conference, and promised to regard the bishops as their spiritual fathers, and perform all duty to them.

JAMES I.
conformists
acquiesce,
and promise
obedience.

Besides the few alterations already related by Dr. Barlow, there is mention of some others in the Paper-office, which I shall give the reader in the records. But, notwithstanding this review is said to have been made by the king, the bishops, and the lords of the council, it is plain all these heads were either not carried to the last digestion, or else recalled afterwards: for everything set down there was not put in practice. But then there were some thanksgivings added at the end of the Litany, and some questions and answers in the close of the Catechism.

Some alterations, or, rather, explanations, made in the rubric, &c. See Records, num. 100.

The thanksgivings added are, "For Rain;" "For Fair Weather;" "For Plenty;" "For Peace and Victory;" and "For Deliverance from the Plague." The additions in the Catechism take in all the questions and answers touching the sacraments.

Idem.

But here it must not be forgotten Mr. Chadderton requested the wearing the surplice and the cross in baptism might not be urged on some godly ministers in Lancashire; and, particularly, he begged this indulgence for the vicar of Ratsdale. The archbishop of Canterbury replied, he "could not have moved for a more unlucky man: for, not many years since, a complaint was made good against him, that, by his irreverent administration of the holy eucharist, he gave the people an aversion to receiving it and coming to church." And, for the truth of this, the archbishop appealed to the lord chancellor, then present, who attested it.

This vicar put the consecrated bread in a basket, handed it to all the communicants, who every one, look out a piece for themselves.

To Chadderton's request the king answered, "that it was neither his intention nor the bishops' to come to any sudden rigours, or press conformity in these points, till admonitions and argument had been tried upon them;" and, therefore, his majesty consented the bishop of the diocese should assign them a time within which conformity would be expected. Mr. Knewstubs desired the same favour of forbearance for some honest ministers in Suffolk. His reason was, that their reputation would suffer in the country if the surplice and cross in baptism was forced upon them. Here the archbishop of Canterbury beginning to answer, the king stopped him, and undertook

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Knewstubbs. He told this agent he had shown himself an uncharitable person. "We have taken pains here," says the king, "and at last concluded in a resolution for uniformity; and you, forsooth, must prefer the credit of a few private men to the peace of the Church. This is just the Scotch argument; for, when anything was there settled which crossed upon some people's fancies, the only reason why they refused submission was, because it would not consist with their credit to change their opinion. I will have none of this arguing; and, therefore, let them either conform, and that quickly too, or they shall hear of it." In short, the Millenary agents promised to acquiesce and obey. And now the king closed the conference with a very affecting discourse.

*The conference mis-
related by
the Non-
conformists.*

Notwithstanding the Nonconformists came off with this disadvantage, they gave out the news of their having gained an absolute victory. For instance, that the king gratified Dr. Reynolds in everything desired; that these concessions were but the beginnings of reformation, and that greater things were expected; that the bishop of Winchester was silent upon the matter; that the bishop of London called Dr. Reynolds schismatic, but said little to the purpose; that the king treated the bishops ruggedly, but was kind and caressing to Dr. Reynolds; that the archbishop of Canterbury and bishop of London, kneeling to the king, entreated his majesty to take their cause into his own hands, and put such an end to it as might not disoblige their reputation.

This and a great deal more of misrepresentation they dispersed in pamphlets, to keep up the spirit of their party. Two of these libels, coming to the hands of Dr. Barlow, were published by him at the end of the conference.

Phœnix,
p. 178.

March 5,
1603-4.
*A calumny
upon Dr.
Barlow's
memory dis-
proved.
The king's
proclama-
tion re-
lating to the
conference.*

Some considerable time after the doctor's death, he was charged in print by some Puritans with misreporting matter of fact. But that this is no better than downright calumny, may appear from the king's proclamation, issued out in the beginning of March, this year. His majesty sets forth, "that some of those who misliked the state of religion here established, transported with humour, began such proceedings as did rather raise a scandal in the Church than take offence away; that they both used forms of public serving God not here allowed, held assemblies with authority, and did other things carrying a very apparent show of sedition more than of zeal; that the suc-

cess of the conference was such, as happens to many other things which give great expectation before they are closely examined; that he found strong remonstrances supported with such slender proofs, that both himself and his council perceived there was no ground for any change in those things which were most loudly clamoured against; that the book of Common Prayer and the doctrine of the Established Church were both unexceptionable,—and, as to the rites and ceremonies, they had the practice of the primitive Church to plead in their defence; and, lastly, that, notwithstanding with the consent of the bishops and other learned men some passages were rather explained than altered, yet, with a reasonable construction, everything might very well have stood in its former condition.” And this may serve to do justice to Dr. Barlow’s memory, who was never challenged with misrecital till after his death.

To go on with the proclamation: the king proceeds to acquaint the subject with the methods he had taken for explaining and printing the Common Prayer, not doubting but all his subjects, both clergy and laity, would receive it with due regard and conformity: that, notwithstanding this favourable opinion, his majesty conceived it necessary to publish his authorizing the book; and by this his proclamation, requires and enjoins all men, as well ecclesiastical as temporal, to conform to it, as being the only public form of serving God established and allowed in this realm. And here his majesty takes notice, “that all the learned men present at the conference, as well the bishops as others, promised their conformity, only requesting that some few might be borne with for a time.” Then follows a strict command to all archbishops, bishops, and all other public ministers, as well ecclesiastical as civil, to see the proclamation executed, and to punish all offenders pursuant to the laws of the realm. And, lastly, he admonishes all his subjects, of what rank soever, not to expect any alteration in the public service; and that he would give no persons any occasion to presume his resolution, so maturely settled, could be removed by any frivolous suggestions; neither was he ignorant how much a government must suffer by admitting innovation, and going off from things settled upon a thorough debate. And yet, such is the desultory levity of some people, that they are always languishing after change and novelty; insomuch, that, were they humoured in their incon-

JAMES I.

684.

Proclamation
pre-
fixed to the
Common
Prayer-
book,
printed
A. D. 1615.

WHIT-
GIFT,
Abp. Cant.

stancy, they would expose the public management, and make the administration ridiculous.

*Archbishop
Whitgift's
death and
character.*

On the 19th of March, the parliament met at Westminster. Some time before the session, archbishop Whitgift appointed a meeting at the bishop of London's house, at Fulham. The business was, to consult some of the bishops and judges of his court what was proper to be moved in either of the houses with reference to the Church. The archbishop, going by water, got a great cold. This accident occasioned a dead palsy. The king, hearing of his sickness, made him a visit at Lambeth, and expressed his esteem in a very remarkable manner. He died the last of February, this year. This prelate was descended of an ancient family, seated at Whitgift, in Yorkshire. His grandfather was John Whitgift, gentleman; his father, Henry Whitgift, was bred a merchant at Great Grimsby, in Lincolnshire. Here the archbishop was born, in the year 1530. He was first instructed by his uncle, Robert Whitgift, abbot of Wellow, in Lincolnshire. From hence he removed to London; and from thence to Pembroke-hall, in Cambridge, where he was a fellow. He commenced doctor in divinity in the year 1569. He was afterwards master of Pembroke-hall, and Margaret, and queen's professor; and, being a celebrated preacher, he was sent for up to court, made the queen's chaplain, and preferred to the mastership of Trinity-college in Cambridge. His next promotion was to the deanery of Lincoln; and from thence to the bishopric of Worcester, where he was likewise made vice-president of the marches of Wales. And here, both with respect to his ecclesiastical and civil station, he had the reputation of a good governor, and was much valued for his conduct, integrity, and good temper. He treated the recusants of both denominations with mildness and moderation, and brought off a great many Roman Catholics to the Church of England. He had a general capacity: his performances in controversy have been already related; neither was his talent confined to this sort of learning and the exercises of the pulpit, though he distinguished himself in both. He was no less formed for a governor than a scholar, and managed at the council-board and consistory, in the High Commission and Star-chamber, to great commendation. His public character having been touched already, I shall add a word or two concerning the economy of his family. And here

his judgment, generosity, and public spirit, were not a little remarkable. His house was a sort of academy, where young gentlemen were instructed in languages, mathematics, and other creditable sciences. He entertained a great many indigent scholars in his family, gave exhibitions to several in the universities, and encouraged them in proportion to their merit and necessities. JAMES I.

And, living in times of public disturbance, the kingdom having been ruffled with insurrections, threatened with invasions, he did his part in providing for the defence of his country. For this purpose, he trained his domestics to military exercise, was well furnished with arms, and kept a stable of managed horses; and thus he was in a condition to furnish an hundred foot and fifty horse, upon any sudden occasion. For instance, when the earl of Essex endeavoured to raise the city upon the government, the archbishop immediately sent three-score of his servants, well armed, to reinforce the court, and had forty horse ready to march upon the first order. His foot were the first that forced the gates of Essex-house, and maintained their post till the earl surrendered. He was no less considerable for his hospitality, where everything was managed with great decency and largeness of mind.

And, being sensible that magnificence was necessary to make his character better understood, he was not forgetful to apply to this expedient; and, therefore, besides the constant pomp in his family, he usually travelled with a great retinue. For instance, in the year 1589, he came into Canterbury with a train of five hundred horse, of which an hundred were his own servants, the rest consisting of the clergy and lay-gentry of the country. At this time, a person of some character, despatched from Rome for intelligence, happened to be there. This gentleman was much surprised to see the archbishop thus pompously attended; but, coming the next day to the cathedral, and entertained with the solemnity of the choir and habits, the exquisiteness of vocal and instrumental music, he was almost overset with admiration. He told an Englishman of condition, “that this nation had been very much misreported at Rome: that the people were made to believe that there was neither archbishop, bishop, cathedral, or any face of ecclesiastical government, in England; that the churches were razed, and the people met to hear their ministers in woods and fields. *Sir Edward
Hobly.*

WHIT-
GIFT,
Abp. Cant.

But this, he found, was a great mistake : for, excepting in the pope's chapel, he never saw a more solemn service, or heard more seraphic harmony."

685.

March 27,
1604.
Sir George
Paul's Life
of Archbp.
Whitgift.

To proceed: the archbishop, besides the hospitality of his table and his common charities, was no less remarkable for his public benefactions: witness the hospital founded by him at Croydon. It is built in the form of a college, and affords a settled maintenance for eight-and-twenty brothers and sisters. Near this hospital is built a fair free school, endowed with lands of twenty pounds per annum for the master. In short, no part of his character was without its proper commendation. He had learning, courage, and temper, suitable to his station. His public motions were easy, but not without vigour; and it was his custom to do a great deal of business without much appearance of effort and struggle. He was honourably interred at Croydon. The earl of Worcester and the lord Zouch graced the funeral, and carried his banners; and Babington, bishop of Worcester, preached his sermon.

*The year is
not reported,
which is the
reason I
mention it
here.*

Before I take leave of this worthy archbishop, it will be but justice to mention the frank remonstrance he made against the sacrilegious invasions in queen Elizabeth's reign. When this prelate was bishop of Worcester, the earl of Leicester had importuned the queen to pass some grant to him, very prejudicial to the Church. Whitgift being apprized of this matter, counter-solicited, and put a stop to the earl's business. Upon this they happened to clash a little before her majesty, and quitted the room with no friendly appearance. The bishop being apprehensive the earl might weary the queen to a compliance, returned immediately into the presence, and addressed her with the following discourse:—

Walton's
Life of
Hooker.
*Whitgift's
discourse to
queen Eliza-
beth against
sacrilege.*

"I beseech your majesty to hear me with patience, and believe that yours and the Church's safety are dearer to me than my life; but my conscience is dearer than both: and therefore give me leave to do my duty, and tell you that princes are reputed nursing-fathers of the Church, and owe it a protection; and therefore God forbid that you should be so much as passive in her ruins, when you may prevent it; or that I should behold it without horror and detestation, or should forbear to tell your majesty of the sin and danger of sacrilege: and though you and myself were born in an age of frailties, when the primitive piety and care of the Church's lands and immunities are

much decayed ; yet, madam, let me beg that you would first JAMES I.
consider that there are such sins as profaneness and sacrilege ;
and that if there were not, they could not have names in holy
writ, and particularly in the New Testament. And I beseech
you to consider, that though our Saviour said, ‘ He judged no
man ;’ and to testify it, would not judge nor divide the inher-
itance betwixt the two brethren ; nor would judge the woman
taken in adultery : yet in this point of the Church’s rights he
was so zealous, that he made himself both the accuser and the
judge, and the executioner too, to punish these sins ; wit-
nessed, in that he himself made the whip to drive the profaners
out of the temple, overthrew the tables of the money-changers,
and drove them out of it. And I beseech you to consider,
that it was St. Paul that said to those Christians of his time
that were offended with idolatry, and yet committed sacrilege ;
‘ thou that abhorrest idols, dost thou commit sacrilege ?’ And
to incline you to prevent the curse that will follow it, I beseech
you also to consider, that Constantine, the first Christian em-
peror, and Helena his mother ; that king Edgar, and Edward
the Confessor, and indeed many others of your predecessors, and
many private Christians, have also given to God, and to his
Church, much land and many immunities, which they might
have given to those of their families, and did not ; but gave
them for ever as an absolute right and sacrifice to God : and
with these immunities and lands they have entailed a curse
upon the alienators of them ; God prevent your majesty and
your successors from being liable to that curse, which will
cleave unto Church lands, as the leprosy to the Jews.

“ And to make you that are trusted with their preservation
the better to understand the danger of it, I beseech you forget
not, that to prevent these curses, the Church’s land and power
have been also endeavoured to be preserved (as far as human
reason and the law of this nation have been able to preserve
them,) by an immediate and most sacred obligation on the
consciences of the princes of this realm. For they that con-
sult Magna Charta shall find that as all your predecessors were
at their coronation, so you also were sworn before all the nobi-
lity and bishops then present, and in the presence of God, and
in his stead to him that anointed you, ‘ to maintain the Church
lands and the rights belonging to it ;’ and this you yourself have
testified openly to God at the holy altar, by laying your hands

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GIFT,
Abp. Cant.

on the Bible, then lying upon it : and not only Magna Charta, but many modern statutes have denounced a curse upon those that break Magna Charta : a curse like the leprosy that was entailed on the Jews ; for as that, so these curses have and will cleave to the very stones of those buildings that have been consecrated to God ; and the father's sin of sacrilege hath and will prove to be entailed on his son and family. And now, madam, what account can be given for the breach of this oath, at the last great day, either by your majesty, or by me, if it be wilfully, or but negligently violated, I know not.

“ And therefore, good madam, let not the late lord's exceptions against the failings of some few clergymen prevail with you to punish posterity for the errors of this present age ; let particular men suffer for their particular errors ; but let God and his Church have their inheritance : and though I pretend not to prophesy, yet I beg posterity to take notice of what is already become visible in many families ; that Church land added to an ancient and just inheritance hath proved like a moth fretting a garment, and secretly consumed both ; or, like an eagle that stole a coal from the altar, and thereby set her nest on fire, which consumed both her young eagles, and herself that stole it. And though I shall forbear to speak reproachfully of your father, yet I beg you to take notice, that a part of the Church's rights, added to the vast treasure left him by his father, hath been conceived to bring an unavoidable consumption upon both, notwithstanding all his diligence to preserve them. And consider that after the violation of those laws to which he hath sworn in Magna Charta, God did so far deny him his restraining grace, that as king Saul, after he was forsaken of God, fell from one sin to another ; so he, till at last he fell into greater sins than I am willing to mention. Madam, religion is the foundation and cement of human societies : and when they that serve at God's altar shall be exposed to poverty, then religion itself will be exposed to scorn, and become contemptible, as you may already observe it to be in too many poor vicarages in this nation. And therefore as you are by a late act or acts of parliament entrusted with a great power to preserve or waste the Church's lands, yet dispose of them for Jesus' sake, as you have promised to men, and vowed to God, that is, as the donors intended ; let neither falsehood nor flattery beguile you to do otherwise : but put a stop to the

invasion of God's and the Levites portion, I beseech you, and to the approaching ruins of his Church, as you expect comfort at the last great day ; for kings must be judged. Pardon this affectionate plainness, my most dear sovereign ; and let me beg to be still continued in your favour, and the Lord still continue you in his." JAMES I.

Upon the 19th of March the parliament met at Westminster. The king entertained the lords and commons with a long speech. I shall only mention some part of that which relates to religion. Upon this head he acquaints the houses, "that at his coming into England he found three different ways of worshipping God professed. The first was the religion established by law, and now professed by himself. The second was that of the Roman Catholics. The third was that of the Puritans : and these novelists he took rather for a sect than a society of Christians : that these last, notwithstanding their differing from us in substantial points was not great, yet their schemes of polity were very untoward ; they were so fond of parity and levelling, so perpetually remonstrating against all kind of superiority, that they were always uneasy and disaffected to the public establishment : for which reason they were scarcely to be endured in a well-regulated commonwealth. But as to his intention of dealing with them, he refers the houses to his proclamations upon that subject." 686.

The parliament meets at Westminster.

Part of the king's speech.

Then speaking of the papists, he declares, "that notwithstanding his being bred to the Reformation, and afterward giving it a preference upon thought and inquiry, yet he never carried his belief to any excesses of bigotry or unreasonable distance. He owns the Roman communion for his mother-church, though under the disadvantage of some blemishes and corruptions. And as he is no enemy to the life of a patient because he advises the purging off ill humours ; for the same reason he ought not to be reckoned unfriendly to their Church because he suggests the reforming their errors, and bringing things up to the primitive standard. He is by no means for throwing down the temple, but only wishes every thing offensive might be removed, and the appearance suited to the solemn service for which it was designed. No man," continues the king, "can be more unwilling than myself to stretch to any unwarrantable latitude in my own practice ; but then, on the other hand, I should be sorry to make my private con-

science the measure of belief to all my subjects. I was never of a persecuting temper, nor for tying up other people to my own opinion : and of this I hope I have given sufficient proof since my coming into this kingdom. But if the judges have formerly pressed the punishment of recusancy farther than the laws intended, I desire the present parliament would think of a better remedy for this grievance.

“ As to my Roman Catholic subjects, I must range them under two divisions, churchmen and laymen. Of these I think the laity the most excusable, in regard of the profound submission and implicit belief required in their Church. Again, the laity must be farther subdivided into two sorts : the first are men of peaceable tempers, who, having been educated in that Church, take things upon trust, choose rather to continue in that communion than run the censure of being over-curious, and affecting a change. The other sort are commonly young people, who have fallen under unhappy instruction, and been poisoned with ill principles. As to the first sort, I should be sorry their persons should suffer for their mistakes : but for the rest of the laity, who, either out of affectation, passion, or perverseness, have altered their persuasion, who have revolted from our communion only to embroil the commonwealth, and play their sedition to more advantage : these people must be better looked after, and their obstinacy corrected.

“ And to speak to the clergy : there are two things insufferable in many of them. The one relates more immediately to belief, and the other to practice. The error in doctrine is their carrying the pope’s supremacy to an extravagant and scandalous excess ; their giving him not only the spiritual government of Christendom, but a temporal authority over princes ; as if the disposal of crowns and sceptres, the dethroning of kings and emperors, was part of his privilege. The other point which runs into common practice, is the embroiling of civil government, and the murder of kings, as if all hostile attempts against their sovereign were instances of merit ; against their sovereign, I say, when he is once excommunicated, his subjects discharged of their allegiance, and his kingdoms given away by that three-crowned monarch, or rather monster of a head, the pope. But upon this I shall insist no farther at present ; only I heartily wish that God would make me instrumental to a general union in Christen-

dom; and that all prejudice and obstinacy being quitted on both sides, we might meet in the middle; and this I take to be the true centre for rest and advantage. If the papists would retire from the ground they cannot maintain, give up their innovations, and make the old belief and practice the measures for an accommodation, I would be contented to meet them half way, and consent to the removal of novelties on either side; for as my faith, founded on the Scriptures, is truly catholic and apostolic, so I shall ever be ready to give all imaginable deference to antiquity in points of discipline and government. And by this means, by the grace of God, I hope always to preserve myself from heresy and schism. JAMES I.

“After this the king gives the English Roman Catholics a caution not to misapprehend him, or presume too far upon his lenity, nor ever entertain any visionary hopes of bringing their persuasion to a public establishment. He bids them assure themselves, that as he is a friend to their persons on condition of their dutiful behaviour, so shall he always continue a mortal enemy to their errors. And as he should be sorry their mutinous and disorderly carriage should force him to withdraw his protection, so he shall always make it his business to prosecute and crush their mistakes: for that he should either countenance or connive at the spreading their religion, as it now stands, can never be expected upon three accounts:—

“First. Such an indulgence cannot be granted without going counter to his own conscience.

“Secondly. The liberties of the island must suffer by relaxing to such an excess.

“And thirdly. The crown would be conveyed to his posterity in a worse condition than he found it.”

Stow's
Annal.

There was act made this parliament for disabling the crown from receiving any conveyances of archbishops' and bishops' estates. Thus those of the clergy who wanted either honesty or courage were disabled from impoverishing the Church. Thus the king stopped the issue of sacrilege, and delivered himself from the importunity of the courtiers. 1 James 1.
cap. 3.
687.

*An act for
disabling the
king and his
successors
from having
any arch-
bishop's
lands con-
veyed to
them.*

There was likewise a bill passed for the better executing the laws against all manner of recusants. Farther, an act passed for repealing a statute in the reign of queen Mary; and thus the statute of king Edward VI., touching the lawfulness of 1 James 1.
cap. 4.

1 James 1.
cap. 25.

marriage in the clergy, was revived. And, lastly, 1 Mar. cap. 2. which repeals 1 Ed. VI. cap. 2. concerning the election of bishops, is repealed: the passing this act gave the bishops some trouble in their jurisdiction; but the question was cleared, and the difficulty got over in the fourth year of this reign, as has been already related. This parliament sat till the 7th of July, and was then prorogued till the 7th February following.

*The convo-
cation meets.*

To say something of the convocation, which met the next day after the parliament. The see of Canterbury being now vacant, the dean and chapter of that Church gave a commission to Bancroft, bishop of London, to preside in the synod. In the eleventh session the president delivered the prolocutor a book of canons, which passed both houses, and were afterwards ratified by the king's letters-patent. These canons, being a hundred and forty-one, were collected by bishop Bancroft out of the articles, injunctions, and synodical acts, passed and published in the reigns of king Edward VI. and queen Elizabeth.

Abstract
of the Con-
vocation
Journal.

To proceed: a petition for reforming the Book of Common-prayer was brought into the house by Edgerton, Fleetwood, and Wotton, clerks, together with some others. — This motion, it is likely, was coldly received: that it miscarried is certain: all that appears upon record is, that the president, and the rest of the bishops, admonished the petitioners and their adherents to acquiesce and conform. The convocation was on the 9th of July prorogued by the king's writ to the 8th of February next following, and afterwards to the 6th of November, 1605.

*The colle-
giate church
at Ripon
founded by
the king.
A.D. 1604.*

This summer the corporation of Ripon, in Yorkshire, petitioned queen Anne for a better maintenance for the incumbent of that parish. There had formerly been founded a fair collegiate church, but at the dissolution of the abbey the lands were seized by the crown, and no tolerable remainder left for the parish priest. There was little need of the queen's interest in soliciting on the petitioner's behalf: for the king was always disposed for the benefit of learning and religion. In short, his bounty was considerably large upon this occasion: for he founded a dean and chapter of seven prebendaries, and settled two hundred and forty-seven pounds per annum of crown lands for their maintenance.

This year the Family of Love presented a petition to the king. The design of their address is to clear themselves of some imputations, which, as they pretend, lay unjustly on their persuasion. They complain of their being misrepresented in his majesty's *Βασιλικὸν Δῶρον*. They disclaim the Puritans, such as Brown, Penry, &c. and all erroneous sects of the Anabaptists, and make fair pretensions of obedience to Church and State. They take the distinction of their belief from one Henry Nicholas, confess some dark passages in the author's works, and offer to explain them. As for learning, they declared themselves unfurnished. They take notice of their lying under the reproach of licentious doctrine, but disown the charge. And, lastly, they solicit for indulgence and common protection, and desire their principles may be interpreted by their practice. What effect this petition had, does not appear: it is possible the inconsiderableness of the number and condition of these sectaries might make them overlooked.

JAMES I.
*The Family
of Love's
address to
the king.*

Fuller's
Church
Hist. bk. 10.

After a vacancy of about nine months in the see of Canterbury, Bancroft, bishop of London, was translated thither. This prelate governed with great vigour, and pressed a strict conformity to the rubric and canons, without the least allowance for latitude and different persuasion. This management was interpreted as rigour by those who favoured the Nonconformists. The author of the "Altar of Damascus" reports, that three hundred preaching ministers were either silenced or deprived for refusing to pass this test. But this narrative swells the prosecution to a romantic bulk: for, by the rolls delivered in by Bancroft, not long before his death, it is evident there were but forty-nine deprived upon any account whatever. Now this, in a kingdom of about nine thousand parishes, was no very tragical number. However, by animadverting upon some few of the principals, he struck a terror into the rest, and made their scruples give way.

Dec. 4,
1604.
*Bancroft
translated
from London
to Canter-
bury.*

In short, Bancroft's unrelenting strictness gave a new face to religion: the liturgy was more solemnly officiated: the fasts and festivals were better observed: the use of copes was revived, the surplice generally worn, and all things in a manner recovered to the first settlement under queen Elizabeth. Some, who had formerly subscribed in a loose reserved sense, were now called upon to sign their conformity in more close unequivocal terms. For now the thirty-sixth canon obliged them

BAN-
CROFT,
Abp. Cant.

to declare that they did “willingly, et ex animo, subscribe the three articles, and all things contained in the same:” so that now there was no room left for scruples and different persuasion. And thus some ministers of consideration lost their livings to preserve their conscience: I say, to preserve their conscience; for it is a hard matter to bring every body’s understanding to the common standard, and make all honest men of the same mind.

Amongst the more eminent Nonconformists who were laid aside upon this score, we may reckon Dr. Burgess, beneficed in Lincoln diocese. This divine, for some exceptionable passages in a sermon of his preached before the king this summer, was first committed; and afterwards being pressed to subscribe the three articles, resigned his benefice. He wrote the reason of his conduct to Chatterton, his diocesan. He likewise endeavoured to purge himself from sinister construction to the king, and addressed his majesty for favour and his former post. The king, pleased with his manner of his application, did him the honour of a personal conference. And here the matters in question being discussed, Burgess was gained to an entire conformity, and returned to his station. After this he signalized himself against the Dissenters, and became a champion for the government and ceremonies of the established Church.

688.

Answer
rejoined to
the ap-
plauded
Pamphlet,
&c.
*The Non-
conformists
multiply
their ex-
ceptions
against the
Church of
England.*

But the loss of this divine did not dishearten his former brethren; for soon after a warm pamphlet, entitled the “Abridgment,” was published by the Lincolnshire ministers. The book rallied all the former objections, and reinforced them with new ones: and, in fine, made an attack upon the doctrine, ceremonies, and government of the Church. Dr. Burgess, in his answer, complains the state of the questions was much altered: that Cartwright and the old Nonconformists drew up a gentler charge against the ceremonies, and quarrelled with them only upon the score of their being inconvenient: that in consequence of this opinion they advised the ministers to conform, rather than quit their flocks: and exhorted the people to receive the communion kneeling, rather than lose the benefit of that sacrament. But the authors of the “Abridgment,” and other pamphlets in this reign, carried their exceptions much farther, pronounced the ceremonies altogether unlawful, and looked on it as a distinguishing mark

of piety to lay the surplice aside. And thus, by widening the breach, enlarging the heads of their remonstrance, and pushing their disaffection farther than formerly, they lost the good opinion of the bishops, who otherwise, probably, would have managed with more lenity, and not drawn the canons so close upon them. JAMES I.

In Scotland a general assembly was to have met at Aberdeen, in July the last year; but the king being wholly taken up with the project of the union, the church meeting was adjourned for a twelve-month. The court being now settled in England, the Presbyterian ministers, relying upon the juncture, formed a design to break the king's measures, and recover the ground they had lost. The king, apprized of their motions, commanded the assembly should be put off till farther order. His majesty was generally obeyed; for, of the fifty presbyteries, only nine sent their commissioners to Aberdeen. And thus, when the day came, their meeting consisted at the most but of one-and-twenty. However, these members were all men of resolution, and prepared to stand the shock. Sir Alexander Straiton, laird Lowreston, commissioner for his majesty in Church affairs, commanded them to retire, and break up their unlawful assembly. They told him their meeting was allowed by the laws of the realm; and that they ought not to betray the liberties of the Church by giving way to so illegal a discharge. The commissioner argued against their plea, asserted the king's prerogative in calling and dissolving Church assemblies. But being requested to withdraw, and give them some little time for farther deliberation, he complied with the motion. Being thus left to themselves, they immediately chose one Forbes for their moderator, and adjourned the assembly to the last of September following.

Some of the Scotch Presbyterians refuse to discontinue their assembly at the king's order.

Lowreston, finding himself ill used, complained to the council, and proclaimed them rebels. Forbes and Welsh, two of the principal malcontents, were summoned to appear before the board, and, persisting in their stiffness, sent prisoners to the castle of Blackness. On the 3rd of October the rest were ordered to appear before the lords of the council. And now thirteen of their number owned their misbehaviour, and intreated their lordships would intercede with the king for their pardon. The rest, which were but eight, justifying their braving the government, were committed to several prisons.

Spotswood's Church History.

BAN-
CROFT,
Abp. Cant.

As for the thirteen, who confessed their fault, they were dismissed, and had the liberty of returning to their respective charges.

Sept. 26,
1605.

These proceedings of the council were censured in the pulpit by several preachers; and to draw a greater odium upon the administration, it was given out that the suppressing assemblies and the established discipline was the bottom design; and that the ceremonies of the Church of England were to be forced upon them. The king published a declaration to satisfy the people, and disable these false reports; intimating withal that another assembly should meet at Dundee in July following.

Oct. 24.

This declaration making no impression upon the disaffected ministers, they were summoned to appear at the council-table, to be farther punished for their misbehaviour. When they came, they exhibited an instrument subscribed by fourteen of them. The substance of this paper, called a declinator, was, that "the meeting or discharge of a general assembly was a matter of spiritual cognizance, and belonged to the decision of the Church; that therefore they must be forced to plead in bar to their lordships' jurisdiction, and submit themselves to the trial of a general assembly, who are the only competent judges of the cause."

*They sub-
scribe a
declinator
of the tem-
poral courts,
and appeal
to a general
assembly.*

Idem.

*They are
prosecuted,
and found
guilty of
treason.*

The king, receiving advice of the declinator, ordered their prosecution. Accordingly, six of them were indicted upon the statute made in the year 1584, found guilty of treason, and returned to their prisons till his majesty's pleasure was farther known.

*Archbishop
Bancroft
exhibits
articles
against the
judges.*

To go back to England. In Michaelmas term, this year, archbishop Bancroft exhibited articles to the lords of the privy council, in the name of the whole clergy, against the judges. They are called "Certain Articles of Abuses which are desired to be reformed in granting Prohibitions." To this remonstrance, in Easter term following, all the judges of England gave in their answers signed to the council-board. This unanimous resolution sir Edward Coke calls "the highest authority in law." But this case being a complaint of encroachment, and a contest for jurisdiction between the temporal and ecclesiastical judges, by the principles of equity the controversy ought to be determined by neither side. That this learned gentleman was clearly of this opinion, when competition and conquest was not in his view, appears from his report of Dr.

Coke's In-
stit. pt. 2.
fol. 601.

Coke's
Reports,
lib. 8.
fol. 117,
118. 120.

Bonham's case. The censors of the college of physicians had imprisoned this Dr. Bonham for practising in London without their license. Bonham brings an action of false imprisonment against the college. In reporting this, Coke cites the judgment of Warburton, chief justice, and Daniel, another of the justices, that the censors of the college of physicians could not be judges and parties, "quia aliquis non debet esse judex in propria causa;" and that no body can be judge and attorney for any party. This, in the opinion of these reverend judges, is so fundamental a maxim of reason and common law, that even an act of parliament shall be overruled by it. Thus, for instance, if a statute empowers any person to have cognizance of all manner of pleas arising within his manor, notwithstanding such an act, he shall hold no plea of any matter where himself is a party. The reason assigned is, "iniquum est aliquem sue rei esse judicem."

JAMES I.

Dyer,
3 Edw. 6.
fol. 65.
38 Edw. 3.
cap. 15.
8 Hen. 6.
cap. 19, 20.
21 Edw. 4.
cap. 47, &c.

In the close of the argument, Coke, then chief justice of the Common Pleas, where the cause was tried, declares the college no judge in the present dispute; and, in short, judgment was given for the plaintiff. By this report, it is plain the judges' resolution upon Bancroft's articles are so far from being "the highest authorities in law," that they are no authority at all. What they deliver is in favour of their own jurisdiction and interest; and thus, by being deeply parties, they are by this report disabled from pronouncing in the cause. Sir Edward Coke having mentioned these articles against undue prohibitions in his exposition of the statute called "Articuli Cleri," I have transcribed them with some remarks under the reign of king Edward II.

689.

See my Ch.
Hist. vol. 1.
p. 510 to
523.

About this time the horrible Gunpowder Plot was discovered. The design was to have blown up the king and the two houses of parliament, to have raised the country in the confusion, laid the plot upon the Puritans, proclaimed the lady Elizabeth, and by degrees brought popery back upon the kingdom. The history of this conspiracy being so well known, I shall be short in the narrative.

The Gunpowder Plot discovered by a letter to the lord Mounteagle.

About ten days before the parliament was to meet, a letter was delivered to a footman of the lord Mounteagle's for his master. The letter runs thus:—

BAN-
CROFT,
Abp. Cant.

MY LORD,

“Out of the love I bear to some of your friends, I have a care of your preservation. Therefore I would advise you, as you tender your life, to devise some excuse to shift off your attendance at this parliament: for God and man have concurred to punish the wickedness of this time. And think not slightly of this advertisement, but retire yourself into your country, where you may expect the event in safety. For though there be no appearance of any stir, yet, I say, they shall receive a terrible blow this parliament, and yet they shall not see who hurts them. This council is not to be contemned, because it may do you good, and can do you no harm, for the danger is past so soon as you have burnt the letter. And I hope God will give you the grace to make good use of it: to whose holy protection I commend you.”

K. James's
Works.

This letter brought by the lord Mounteagle to the earl of Salisbury, principal secretary of state, and being read by several of the council was carried to the king. His majesty interpreted the darkness of the contents to some treason to be effected by gunpowder. Upon this, the cellar under the parliament-house being searched, a great quantity of wood and coals was found in the vault. The cellar was hired by Piercy; and Faux, who under another name pretended to be his man, was met with there.

The king's apprehension of mischief increasing, a second and more particular search was ordered. It was made by sir Thomas Knevelt, who discovered the barrels of gunpowder, and seized Faux. This conspirator was apprehended on the fifth of November, the morning on which the parliament were to begin their session. He behaved himself with great resolution before the council, and nothing could be drawn from him. But afterwards being sent to the Tower, and the rack brought out, he made a confession to several of the privy-council, that himself, Thomas Winter, Robert Katesby, Thomas Piercy, John and Christopher Wright, concerted a plot against his majesty for the relief of the Catholic cause; and that Katesby proposed the scheme of gunpowder. This motion being approved, they fixed upon the place, time, and manner, above-mentioned.

Idem.

Afterwards the conspiracy was communicated to sir Everard JAMES I.
Digby, Ambrose Rookewood, Francis Tresham, John Grant,
and Robert Keyes.

Soon after Thomas Winter being apprehended, made the same confession in substance with what had been owned by Faux.

The plot being thus discovered, the rest of the conspirators quitted London, and endeavoured to raise the country, and seize the lady Elizabeth, but misearried in their design: their party when most numerous, including their servants, was not more than eighty. To cover their practice, they pretended a hunting match, but being at last more open in their treason, they were pursued by sir Richard Walsh and sir Richard Verney, sheriffs of Worcestershire and Warwickshire. At last they were most of them seized at Holbeach in Staffordshire, at one Stephen Littleton's. This house being beset by the sheriffs' forces, several of the conspirators were hurt by the casual blowing up of a bag of gunpowder, which they had laid to dry by the fire. Thus being unprovided for defence, the accident awakened their consciences, and surprised them into remorse. In the first place they fell upon their knees, and asked God pardon for the villany they intended: then they resolved to open the gate, and break through, or die fighting. Katesby and Piercy were killed with one shot, and Winter was wounded and made prisoner.

Id. p. 245.

On the ninth of November the king went to the parliament-house, and acquainted the lords and commons with the circumstances and barbarity of the plot. In his speech he acquits all foreign princes and their ministers from having any knowledge or share in this horrible conspiracy: neither does his majesty charge the plot upon the whole body of the English Papists, but believes many of them, notwithstanding their superstition, may be good subjects. And here he declaims against the rigour of the Puritans' opinion, and thinks their cruelty worthy of fire, who will admit no salvation to any Papist.

*Part of the
king's speech
in parliament.
Nov. 9.*

The two houses adjourned to the twenty-first of January: and on the twenty-seventh the principal conspirators were tried at Westminster. Their names with their additions are as follow; Thomas Winter, late of Hoddington in Warwickshire, gentleman; Guido Faux, late of London, gentleman;

Id. p. 503,
504.
*The conspirators tried
and condemned, and
most of them
penitent at
their execution.*

BAN-
CROFT,
Abp. Cant.

Robert Keyes, late of London, gentleman; Thomas Bates, late of London, yeoman. These four were arraigned for plotting to blow up the parliament-house with gunpowder; for taking an oath and the sacrament to bind themselves to secresy; for hiring a house near the parliament, digging a mine, and afterwards hiring the cellar; for bringing powder, match, and touchwood, to execute their treason. Robert Winter, late of Hoddington, esq., elder brother to the above-mentioned Thomas; John Grant, late of Yorthbrooks in Warwickshire, esq.; Ambrose Rookwood, late of Stammerfield in the county of Suffolk, esq.; and sir Everard Digby, of Gothurst in Buckinghamshire, knight; were indicted for being acquainted with the treason after it was concerted by those above-mentioned, for consenting to it, and taking an oath and the sacrament to assure their secresy. Sir Everard Digby confessed the indictment, and the rest stood on their defence, but were brought in guilty. Sir Everard Digby, Robert Winter, Grant, and Bates, were executed at the west end of St. Paul's, where all of them excepting Grant, died very penitently. The next day Thomas Winter, Rookwood, Keyes, and Faux, suffered in the palace-yard at Westminster. Faux declared his repentance more remarkably than the rest, and exhorted all Roman Catholics never to engage in any such bloody enterprise, it being a method never allowed nor prospered by God Almighty. As to the conspirators, it was purely a bigoted frenzy for their religion which pushed them upon the attempt; the government had given them no manner of provocation: for before this conspiracy, no papist had been punished in this reign either in person or fortune.

Jan. 30.

690.

Stow's
Annals.

Preface to
K. James's
Works.

The latter end of this year Matthew Hutton, archbishop of York, departed this life. He was descended from an ancient family seated at Hutton-hall in Lancashire, as Fuller supposes. He was bred in Trinity-college in Cambridge. In this university he was master of Pembroke-hall, and Margaret professor. His next preferments were the deanery of York, and the see of Durham, from whence he was translated to the archbishopric in that province. He was a prelate of learning, and exemplary life. As to his benefactions, he left an hundred marks for enlarging the buildings in Trinity-college, founded an hospital in the north, and endowed it with lands of the value of thirty-five pounds per annum.

Godwin de
Præsul.
Angl.
Fuller's
Church
Hist.

Henry Garnet, provincial of the English Jesuits, was apprehended, imprisoned in the Tower, and charged with concealing the plot. He endeavoured to excuse himself by alleging it was discovered to him under the seal of confession. Overall, dean of St. Paul's, told him that confession related to things past, and not to intentions of doing something for the future. He urged farther, that the old schoolmen, and their best casuists, obliged the priest to discover a design, though never so secretly communicated, where the concealment is likely to prove dangerous to the state. And Garnet confessed at last that the party revealed it to him as they were walking, and not at the time of confession. However, it was lodged with him under the ties of the strictest secrecy, by which he conceived the party might mean the seal of confession. Besides, he thought it had a relation to confession, in regard he was confessor to the person, had lately taken his confession, and was to assist him in that office some few days after. But then to disable even this lamentable excuse, he owned that two persons discoursed him concerning the treason; and that Katesby entertained him upon this horrible subject in the presence and hearing of another. Now, as the king infers, what sort of confession must this be which was made in the hearing of a third person? This Garnet was tried at Guildhall for concealing the powder treason, found guilty, and executed at the west end of St. Paul's. He frankly acknowledged the crime, declared himself heartily sorry for it, and asked pardon of God and the king. He prayed for his majesty and all the royal issue, and admonished all Catholics never to attempt any insurrection or violent practice against the king and government: for all engagements of this nature were wholly inconsistent with the Catholic religion. About ten or twelve gentlemen and yeomen were indicted in the country for misprision of treason, for entertaining some of the conspirators after they were marked as such in the king's proclamation. They were found guilty by the jury, and executed near their respective dwellings.

JAMES I.
Garnet's excuse for not discovering his knowledge of the conspiracy.

Id. Promotion to all Christian Monarchs. May 3.
He dies penitent.

As to Garnet's concern, the author of Tortus, who was either Bellarmin's chaplain, or more probably the cardinal himself, has the assurance to maintain, as a principal point of Catholic doctrine, that "the secret of sacramental confession ought not to be revealed; no, not for the eschewing of whatso-

Stow's Annals.
Tortus's scandalous doctrine.

BAN-
CROFT,
Abp. Cant.
Premonition
to all Chris-
tian Mon-
archs, p.334.
Id. p. 342.
Tortus, p.65.

ever evil." He likewise gives Garnet a great character; reports him "a man of incomparable learning and holiness of life; and that he was put to death because he would not reveal that which he could not do with a safe conscience."

This horrible conspiracy awakened the government, put the legislature upon a farther guard, and brought new pressures upon the Roman Catholic party. The reader may see the particulars in the statute intituled "An Act for the discovering and repressing Popish Recusants." By this act the bill which miscarried in the latter end of the last reign was taken in; it being now enacted, that every one who did not repair to church every Sunday should forfeit twelve-pence, unless the parties absenting themselves could make such an excuse as appeared satisfactory to a justice of peace. This parliament sat till the 27th of May, and was then prorogued to the 18th of November next following.

1 James I.
cap. 4.

Blackwell, the arch priest, had the honesty to declare his abhorrence of the Powder Plot, and wrote two letters to dissuade the Roman Catholics from all violent practices against the king and government. His first letter is as follows:

"To my Reverend Brethren the Assistants and other Priests, and to all the Catholics whatsoever, within the Realm of England.

*Blackwell's
abhorrence
of the Gun-
powder Plot.*

"Since my late letters published, (declaring the unlawfulness of the late desperate attempt against our gracious sovereign, the prince, nobility, and other estates of the realm; as also the inward heart-grief conceived amongst us, that any Catholics should be instruments in so detestable and damnable a practice, so odious in the sight of God, and horrible to the understanding of men,) some uncertain rumours have lately been spread of intentions against persons of special honour and state, (which, how true they be, God best knows,) yet myself, in tender discharge of my duty, (with the first to fear the worst, and hoping charitably of the best, that they are rather untruths, or reports, than true suggestions,) have thought it good to signify unto you, my assistants, and all other my brethren, priests, and Catholics whatsoever in this realm, that no violent action, or attempt against the person or life of our dread sovereign the king, his royal issue, nobility, counsellors,

or officers of State, can be other than a most grievous and heinous offence to God, scandalous to the world, utterly unlawful in itself, and against God's express commandment. The which I desire you, my assistants, to communicate to our brethren the priests; and we and they, as heretofore we have done, are to instruct our ghostly children accordingly: assuring myself that, as his holiness has already in general to me prohibited all such unlawful attempts, so undoubtedly, when notice of such shall come unto him, he will by his public instruments manifest and declare to the world his utter dislike and detestation thereof, with as deep ecclesiastical censures as are in his power to impose upon such as shall so wickedly and maliciously contrive such devilish devices. In the mean time, by the authority I have, and so much as in me is, I do humbly entreat, and straitly charge and enjoin all Catholic persons, that live under obedience of mine authority, upon the utter pain that can or may ensue thereby, that none of them dare or do presume to attempt any practice or action, tending in any degree to the hurt or prejudice of the person of our sovereign lord the king, the prince, nobility, counsellors, or officers of State; but towards them in their several places and degrees, to behave themselves as becomes dutiful subjects, and religious Catholics, to their royal king, his counsellors, and officers, serving in place of authority under him. The 28th of November, 1605.

JAMES I.

691.

Biblioth.
Cotton.
Titus. B. 7.
circa finem.

“Vester servus in Christo,
“BLACKWELLUS, Archipresbyter.”

About six months after, being furnished with a more particular authority from the pope, he wrote again to his brethren of the clergy, with orders to publish his instructions to the laity of that communion. This second letter, transcribed in sir Edward Coke's hand, runs thus:—

“*Reverendis suis Assistentibus, D. Sharb, D. Standishio, D. Stanford, D. Clenoko, et aliis Compresbyteris:—*

*Blackwell's
second letter
to dissuade
violent at-
tempts upon
the account
of religion.*

“My very reverend good brethren, what I write unto you now is his holiness's mandatum, that you endeavour to suppress all the late suspected attempts and proceedings for liberty.

Paper-office.

“Quia non solum multa incommoda eaque gravissima reli-

BAN-
CROFT,
Abp. Cant.

gioni allatura, sed etiam Catholicos omnino in discrimen perniciemque vocatura, sua sanctitas nullo modo probat tales tractatus agitari inter Catholicos ; imo jubet, ut hujusmodi cogitationes deponantur. Pro viribus ergo in illud incumbamus efficiamusque nostra autoritate ne tales cogitationes et molitiones tractentur, aut perficiantur, non solum ob insigne damnum, quod inde omnino consequeretur omnes Catholicos, verum etiam et mandatum papæ, qui sic jubet et prohibet.

“ Of this much you are to give notice to all our brethren, especially to such as are in or about those parts in which such unlawful matters are suspected to have been contrived or devised : myself never allowed of any such attempts, but still was of the self-same mind which is now plainly delivered unto us from his holiness. I hope you will be forward to publish this mandatum, to the suppressing of all suspected discommendable actions. And so I commend myself unto your prayers. July 22, 1606.

“ Vester servus,

“ GEORGIUS BLACKWELLUS, Archipresbyter ¹. ”

¹ In order to illustrate the position in which James I. stood with regard to the Roman Catholics, and explain some of the causes that gave rise to that detestable conspiracy, the Gunpowder Plot, I shall quote a few passages from Tancred and Lingard.

“ The Catholics,” says Tancred, “ regarded the accession of James as an event likely to be followed by very important and beneficial results. They naturally expected that their devotion to his mother’s cause, and the sufferings to which they had been exposed in defence of it, would not be forgotten. James had written to Clement VIII. a letter full of the most mild and tolerating sentiments ; and by himself, or his ministers, had even held out the probability of his becoming a proselyte to the Romish Church. ‘ It is certain,’ says Mr. Osburn, ‘ that the promise king James made to the Roman Catholics was registered, and amounted so high, at least, as a toleration of their religion ¹.’

“ These promises were, we may presume, considered justifiable expedients to conciliate the Catholics, that they might receive him with joy as their sovereign. It was soon apparent that they were never to be fulfilled. In the very commencement of this reign an act ² was passed for the due and exact execution of the laws enacted by Elizabeth ; and the principle was still recognized in its full extent, that nonconformity was in itself a crime, and that without reference to political principles, Dissenters were liable to punishment for exercising their own mode of worship, and rejecting that established by the civil magistrate.

“ During the early periods of our history, the people and sovereign acting in concert,

“ ¹ Trial of the conspirators in the Gunpowder Plot. State Trials, vol. 1. p. 231, &c. Burnet’s Summary, vol. 1. History of his own Times. Laing’s History of Scotland, vol. 1. p. 56. Curry’s Civil Wars in Ireland, p. 49, &c.

“ ² 2 James I. cap. 4.

At a parliament held at Perth, the 9th of July, this year, an act passed touching the king's prerogative. In this statute,

JAMES I.
A. D. 1606.
The annexation act repeated at the parliament of Perth.

had, in many instances, presented a rampart against the usurpations of the Church of Rome, and compelled the clergy to preserve their spiritual connexion with the pope in subordination to their allegiance to the crown. Under Edward I., Edward III., and Henry VII. the nation went along with the sovereign in attempts to vindicate his independence and their own. But now, when the union of interests between the sovereign and the Catholics had been violently destroyed, and this portion of the people was proscribed, their privileges as citizens withdrawn, and every thing dear to them as subjects and men embittered or intercepted, they averted their views from their native country, which was to them a land of systematic bondage and oppression, and east their eyes abroad in search of that protection which they ought to have found at home. A new dynasty having succeeded without bringing to them any prospect of alleviation from their burthens, no ties of amity, no sympathy of interests being recognized by their Protestant fellow-countrymen, foreign influence, instead of being extinguished, was increased and confirmed. The Catholics might well consider that they were debtors to the state in a large amount of cruelty and injustice: the hope of wreaking their vengeance enabled Jesuits and other dangerous emissaries to brave all the terrors of the laws; they inflamed discontent for which already there was but too just ground, they broached doctrines the most subversive of society; and the Catholics received with greedy ears principles which, under the sanction of religion, promised to give a loose to their hatred of their persecutors, and gratify their thirst for revenge. To these causes we may attribute that almost incredible conspiracy, the Gunpowder Plot, emphatically termed by sir Edward Coke, 'the Jesuits' treason'.¹ In the trial of Garnet, the superior of that order, it is somewhat amusing to find Coke himself strenuously urging, that the power of deposing princes was a power usurped by different popes, but which had never been authorized by the doctrine of the Romish Church². All must agree in the language of the Act³, that the plot was an invention so inhuman, barbarous, and cruel, as the like was never heard of; but, when the statute assigns the reason why the house of parliament was the spot chosen for this act of revenge, we cannot so readily concur in the epithets by which the legislature thought proper to designate its own acts; we cannot immediately pronounce that the laws there made were 'necessary or religious laws,' nor that the Catholics 'falsely and slanderously termed them cruel laws enacted against them and their religion.' In fact, James himself never involved the body of the Catholics in the suspicion of general guilt; but considered the Gunpowder Plot as the conspiracy of the Jesuits and of a few perverted men, whom previous injuries had exasperated, and rendered more accessible to the influence of designing men. The king felt no such horror of the pope as actuated his subjects; on the contrary, he corresponded with him, acknowledged him to be the first of Christian bishops in rank and dignity, and admitted his style of patriarch of the West. At different periods James showed a disposition to relax the execution of the penal statutes: and whatever severities were inflicted during this or the following reigns of the house of Stuart, they are to be ascribed, not to the personal aversion or disposition to cruelty of the sovereign, nor (with the exception of the Gunpowder Treason, which occurred in the beginning of James's reign) can they be referred to the disloyalty of the Catholics themselves. They were called for by the religious temper of the Protestants, and especially of the house of Commons, who were perpetually urging the executive to acts of violence.

"During the reign of James, this spirit began to display itself in repeated addresses

¹ State Trials, vol. 1. p. 250.

² I do not quote him as a good authority, but as one of the fiercest bigots of the bigoted age in which he lived, and as the probable author of some of the most savage of the penal laws.

³ 3 James I. cap. 1. Appointing a public thanksgiving.

BAN-
CROFT,
Abp. Cant.

his majesty's sovereign authority, royal prerogative, and privilege, is acknowledged over all estates, persons, and causes

to the king for a vigorous execution of the laws; to which, on one occasion, he returned an answer declaring against persecution, as being an improper measure for the suppression of any religion, assigning as his reason the received maxim, 'that the blood of the martyrs was the seed of the Church¹.'

The following account of the Gunpowder conspiracy is abridged from Lingard: his narration is derived from foreign sources, that throw new light upon some of the minor transactions of this extraordinary event:—

"The Puritans, feeling themselves heavily aggrieved, accused the king of papistry,—a charge of which he easily got rid by an immediate order for the strict execution of all the penal laws which had been enacted against the Catholics. The fine of twenty pounds per lunar month had been for some months suspended; it was now levied for the whole period of the suspension, a circumstance which reduced many families to positive beggary. But the evil was attended with another cruel aggravation: James was surrounded by a great number of his countrymen, whose clamour for money the monarch satisfied by giving them permission to proceed by law, in his name, for his claims upon the more wealthy of the recusants. Among the sufferers was Robert Catesby, a descendant of an ancient family, residing at Ashby St. Leger's, in Northamptonshire. He was one of those who had joined the late earl of Essex; and, at the period when that nobleman made his treasonable attempt on Elizabeth, was wounded and committed to prison, from whence he escaped by giving a bribe of three thousand pounds. Still desirous to break the yoke under which the Catholics groaned, Catesby attached himself to the Spanish party; until, finding that all their projects proved ineffectual, he trusted to the promise of toleration given to Percy, a relation and steward to the earl of Northumberland, when he visited the Scottish monarch in Edinburgh, and who stated it to be the intention of James to tolerate the exercise of the Catholic religion in England when he should come into the possession of the crown: thus he represented the thing at the time. But as James, shortly after his accession to the throne, declared in the Star-chamber his horror of popery, and his wish that any of his children who might follow any other religion than that of the established Church should forfeit the right of succession, the reader will not be surprised to learn that the king should deny that he ever had expressed this encouraging hope to Percy; and his subsequent conduct towards the whole body of Catholics confirmed his detestation of their creed to all Christendom. Goaded by the most cruel oppression, Catesby conceived the diabolical plan of involving the king, the lords and the commons, in one common destruction, by blowing up the parliament-house with gunpowder, at the opening of the session.

"When Catesby first mentioned the project to his friend Thomas Winter, of Huddington, in Worcestershire, the latter endeavoured to dissuade him from so inhuman a plan; but Catesby defended its justice by an enumeration of the sufferings which the Catholics had sustained in their lives and properties. At length they determined to solicit the mediation of the Spanish ambassador with James; and, for that purpose, Winter sent to confer with Velasco, at Bergen; but, failing to procure his interest, he proceeded to Ostend, and engaged Guy Fawkes, his colleague in a former agency for the Spanish party, to accompany him to England, yet without telling him what was in contemplation. During Winter's absence, Catesby had made Percy, the person above spoken of, and who considered himself to have been ill-treated by James, and John Wright, a noted swordsman, the sharers of his secret. Fawkes was now trusted with the plan, and all five swore each other to secrecy. Winter, in his confession, says that 'they five administered the oath to each other in a chamber, in which no other body was;' and then went into another room to receive the sacrament. Fawkes, in his examination, taken November the 9th, in the State Paper-office, says, 'the five did meet at a house

¹ Hume, vol. 6, p. 87.

whatever, within that kingdom.* By another statute, the JAMES I.
bishops are restored to their temporalties, and the Act of

in the fields beyond St. Clement's-inn, where they did confer and agree upon the plot, and there they took a solemn oath and vow, by all their force and power, to execute the same, and of secrecy not to reveal any of their fellows but to such as should be thought fit persons to enter into that action; and in the same house they did receive the sacrament of Gerard, the Jesuit, to perform their vow, and of secrecy aforesaid; but that Gerard was not acquainted with their purpose.'

"This was read at the trial, with the exception of the part exculpating Gerard. Before that, in the original, is drawn a line, with the words '*huc usque*,' in the handwriting of sir Edward Coke, who was unwilling to publish to the world a passage which might serve to the justification of one whom he meant to accuse.

"Meanwhile the conspirators did not proceed in the enterprise until every effort to mollify James had been tried in vain, and he declared himself fearful of granting a concession which might be offensive to his Protestant subjects. He issued fresh orders for the detection of recusants, and appointed a commission to banish the Catholic missionaries. In the beginning of December, the conspirators hired an empty house adjoining the old palace of Westminster, which had a garden attached to it, on one side of which stood an old building against the wall of the parliament-house. Fawkes, whose person was less known than the others, assumed the name of Johnson, and said he was Percy's servant. He kept a constant watch around the house; the other four divided the labour of working a mine under the old building into the parliament-house; two-thirds of the twenty-four hours were given to this employment, and one to the rest. During the day they were busy in excavating the mine, and during the night in concealing the rubbish in the garden; but, learning that the parliament was prorogued from February to October, they separated, and went to their respective homes, having previously resolved not to write or send any messages to each other during that period.

"Catesby, on reflecting, thought he had perceived a scrupulousness on the part of his friends regarding the lawfulness of involving the fate of the innocent with that of the guilty, and his cunning suggested the following means to quiet their scruples without endangering his secret. Sir Charles Percy had obtained the king's permission to raise a regiment of horse for the service of the archduke. Catesby succeeded in procuring the royal licence to accept a captain's commission in that regiment, and he took occasion, in a large company, to observe to Garnet, the provincial of the Jesuits, that he was about to enter the service of the archduke, and it was possible he might be commanded to partake in actions in which the innocent would necessarily perish with the guilty. For example, unarmed women and children, with armed soldiers and rebels. Could he in conscience obey? Would not the fate of the innocent render his conduct unlawful in the sight of the Almighty? Garnet replied, that, according to divines of every communion, obedience in such cases was lawful; otherwise it would at all times be in the power of an unjust aggressor to prevent the party aggrieved from pursuing his just right. This was sufficient: the new theologian applied the answer to the intended plot, and boasted to his associates that their objection was now proved to be a weak and unfounded scruple.

"In the following spring, the conspirators renewed their labour, having added Christopher, the brother of Wright, and Robert, the brother of Thomas Winter, to their number. The working of the mine being stopped by a great influx of water, they rejoiced to find they were near a vaulted cellar under the house of lords. Fawkes hired it in the name of his pretended master, and conveyed to it in the night many barrels of gunpowder, which they concealed under stones, wood, and various articles of household furniture; and then they again separated until a few days before the meeting of parliament.

"During the period of these preparations, the persecution of the Catholics had greatly increased: their houses, lands, and persons, were subject to nocturnal searches, and the levying of fines ground them to the dust. In the county of Hereford alone, four hundred and nine families were suddenly reduced to a state of beggary. Catesby witnessed these

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Annexation is repealed. And thus those bishops' estates which were lately vested in the crown were recovered to their

proceedings with secret satisfaction, from a supposition that this treatment would make them more willing to join his standard. Fawkes spent the intervening time in Flanders, where he intrigued with the English officers who were in the pay of the archduke. His conduct, however, did not pass unnoticed : the council were aware of a clandestine plan, though they were ignorant who were the actors in it. At home, the altered manner of Catesby excited the suspicions of his friends. Garnet, who had received orders from the pope and from his own superior to discountenance any disposition in the Catholics to disturb the public tranquillity, inculcated, when at Catesby's table, the duty of submitting to the pressure of persecution, and of leaving the redress of wrongs to the justice of Heaven. To this argument Catesby unguardedly replied, 'it is to you, and such as you, that we owe our present calamities. This doctrine of non-resistance makes us slaves. No authority of priest or pontiff can deprive man of his right to repel injustice.'

"A private conference between Garnet and Catesby ensued, when they agreed to seek some friend who would represent to the pontiff the sufferings inflicted by James upon the Catholics. In this determination both acted with deceit : Catesby's object being to obtain time, that he might send an agent of his own appointment, who should relate the circumstances when the explosion should take place ; while Garnet, pleased with the belief that he had lulled the discontented mind of Catesby, promised himself time to receive a breve from the pope, which would prohibit any violent proceedings, and thus set the matter at rest. Lingard remarks that sir Edward Coke represented this transaction differently at the time of the trial, but he did not produce any proof of his statements. The letter written by Garnet to his superior, a copy of which is at the end of Lingard's History, agrees with the above account, as copied from Greenway's MS. Again the parliament was prorogued, a circumstance that greatly operated against the execution of the plot : for, as Catesby was the only rich man among the conspirators, his means became so impoverished by these delays as to oblige him to impart his secret to sir Edward Digby, of Drystoke, in Rutlandshire, and to Francis Tresham, of Bushton, in Northamptonshire, both Catholic gentlemen of handsome fortunes. These having been sworn to secrecy, the following regulations were agreed upon :—

"A list was made out of such members as they wished to save by means of an admonitory letter, to be delivered on the morning of the fatal day, but at so late an hour as not to allow the plot to be discovered.

"Guy Fawkes was fixed on as the one to fire the mine, a ship being provided by Tresham to convey him to Flanders.

"The task of Percy, he being a gentleman-pensioner, was to get possession of the person of prince Charles, and convey him to the rendezvous at Dunchurch ; from which place the conspirators meant to proceed to lord Harrington, to seize the person of princess Elizabeth. It was intended to appoint a protector, who should exercise the royal authority during the minority of the prince, but the name of that person never transpired.

"While these visionary schemes floated in the imaginations of a few individuals, whom the passions of revenge, interest, and enthusiasm, had urged to sanguinary modes of violence, Garnet was cherishing a hope that his arguments had induced Catesby to suspend, if not wholly abandon, every criminal intention. But Catesby had his own misgivings, and in confession opened the whole affair to Greenway, desiring him to consult his provincial. With this intention, Greenway had recourse to Garnet, from whom he received a severe reprimand, and advice that he must restrain Catesby by every means in his power. Garnet also charged Greenway not to discover to any one, not even to Catesby, that they had held this conversation. Such an effect did the consciousness of his being privy to so atrocious a plot produce in the mind of the provincial, that he was no longer in a state to perform his missionary duties ; and this perturbation of spirits caused him to hasten to Coughton, in Warwickshire, in order to try his own influence with Catesby, whom he expected to meet there. In the latter expectation he was disap-

respective sees. But then the act is clogged with exceptions, and confirms the grants of several castles and other estates JAMES I.

pointed, as Catesby had gone to White Webbs, near Enfield Chase; where he was unexpectedly visited by his new ally Tresham, whose manner appeared to him greatly embarrassed. He pleaded that his brother-in-law, lord Monteagle, should have warning of his danger, and he said he should require time to accomplish certain sales, to enable him to furnish the sums he had promised, and that the explosion might have the same effect at the close as at the opening of the parliament. Catesby became suspicious, but did not then reveal his thoughts. A few days after, when lord Monteagle was entertaining a party at his own house, the following letter was delivered to him at the supper-table :—

“ My lord out of the love i heave to some of youer frends i have a caer of youer preservation therefor i would advyse youe as youe tender youer lyf to devyse some excuse to shift of youer attendance at this parleament for god and man hath concurred to punishe the wickednes of this tyme and thinke not slightlye of this advertisment but reteyre youer self into youre contri wheare youe maye expect the event in safti, for thowghe there be no apparence of anni stir yet i saye they shall receive a terribel blowe this parleament, and yet they shall not seie who hurts them this councel is not to be contemned because it may do youe good and can do you no harme for the danger is passed as soon as youe have burnt the letter and i hope god will give youe the grace to mak good use of it to whose holy protection i comend youe.”

“ It was without date or signature. The following day the letter was sent to the secretary Cecil, and was afterwards perused by the king, to whom his flatterers attributed the merit of discovering that there was an intention to blow up the parliament-house with gunpowder. The conspirators, judging that, as no search had been made, nothing to frustrate their plot had transpired, persevered in the original intention. On the evening of the 4th of November, the lord-chamberlain visited the parliament-house, and, on entering the cellar, accompanied by lord Monteagle, he observed Fawkes, disguised as Percy's servant, and noticed to him ‘that his master had laid in an abundant stock of fuel.’ Even this warning was lost upon Fawkes: he continued obstinate in his determination; but, having occasion to open the door of the vault, about two o'clock in the morning of the 5th of November, he was seized by sir Thomas Knivett and a party of soldiers. Three matches were found in his pockets, behind the door was a dark lantern, and, on removing the fuel, two hogsheads and thirty-two barrels of gunpowder were discovered.

“ When Fawkes was examined before the king and council, he said his name was Johnson,—his master, Percy. He acknowledged his design to destroy the parliament, as the sole means of putting an end to religious persecution; but, he said, whether he had or had not accomplices should never be known from him: nor was his courage or his perseverance ever subdued, though he suffered torture to the extremity. The conspirators, when Fawkes was taken, mounted their horses and hastened to Dunchurch, where they hoped to increase their number; but every Catholic whom they solicited shut his doors against them. At Holbeach-house they resolved to turn on the sheriffs of the county, who were following them with an armed force; but, as they were preparing to make battle, a spark of fire accidentally fell upon the powder. Catesby and several more were a good deal burnt, most of their followers fled in confusion, and Catesby, Percy, and the two Wrights, were mortally wounded by their pursuers; while a few of the principals sought a protection at Hagley, where they were betrayed by a servant of the widow, Mrs. Littleton, who was herself ignorant that they had been secreted in the house by her cousin Humphrey Littleton. During the examinations of the conspirators,—among whom the ministers accused the three Jesuits, Gerard, Garnet, and Greenway, as ‘practisers in the plot,’—they repeatedly declared, that, as far as had come to their knowledge, the three Jesuits were innocent; and pleaded, in excuse for their own conduct, the loss of their property, and the sufferings of the Catholics generally, on account of their religion. They also alleged, that the king had broken his promises of toleration,

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granted by the crown to the nobility and gentry. There is likewise an act passed, entitled, "Aenent salvo jure cujuslibet,"

and that the malice of their enemies daily aggravated their burdens. They declared their only object was to relieve themselves and their brethren from the cruelty of their oppressors, and to restore a worship which they believed to be the true worship of Christ, and for which they were ready to sacrifice their fortunes and their lives. This reasoning proved vain : they suffered the punishment of traitors.

"Of the Jesuits, Gerard and Greenway escaped to the continent ; but Garnet was secreted at Henlip, near Worcester. His residence being known to Humphrey Littleton, who had not undergone his trial, he acquainted the council of this circumstance, hoping thereby to save his own life. This caused Garnet to be arrested, with his servant Owen, and Oldcorne, another Jesuit, with his servant : all the four were taken in the house of Thomas Abington, who was also compelled to go with them to the Tower. As nothing transpired in the several examinations of these persons to criminate the Jesuits, their accusers had recourse to artifice. They placed spies so as to hear the conversation of Garnet and Oldcorne : the latter asked his fellow-prisoner what had been urged against him respecting the plot ; Garnet replied, that there he was secure, 'being there was no more man living who could touch him in that manner, but one.' On this reply was laid the ground for trying Garnet, who explained that the meaning of his words was, that he had been consulted in confession by his brother Greenway, and that he was bound to secrecy by his reverence to the sacrament. The attorney-general, sir Edward Coke, entered on that occasion into a detail of all the plots, real and fictitious, which had ever been attributed to the Catholics, but said little of the merits of the indictment, and nothing of the dying declarations by which he had promised to prove that Garnet was the original fabricator of the plot, and the confidential adviser of the conspirators : so that the king, who was present, declared they had not given him fair play. His defence made a favourable impression on his hearers ; but his subsequent declaration respecting the doctrine of equivocation¹ brought him, in Lingard's opinion, to the scaffold. This historian remarks, that 'the man who maintained such opinions could not reasonably complain if the king refused credit to his asseverations of innocence, and permitted the law to take its course.' The king's suspicion respecting his enemies had been only lulled during the execution of the conspirators, and returned with equal vigour after their death. Northumberland, from his near alliance with the traitor Percy, was kept for some time under restraint in his own house, and then was committed to the Tower, where he sustained several examinations with a manliness and courage that truly awed the weak-minded monarch. However, the total absence of any proof of guilt did not prevent the earl being sentenced to pay an enormous fine : he was declared to be incapable of filling any office, and at length he was condemned to remain a prisoner for life. The extreme hardship of this judgment was attributed to Cecil, who considered Northumberland as his great political rival, and really feared the influence of his power. In the Tower, the earl applied himself to scientific and literary pursuits ; and, from his great encouragement of learning, became the Mæcenas of the age. His society was chiefly composed of mathematicians, from which circumstance he acquired the name of Henry the Wizard."

The lords Mordaunt and Stourton, two Catholics, were fined, the former ten thousand pounds, the latter four thousand, by the Star-chamber ; because their absence from parliament had begotten a suspicion of their being acquainted with the conspiracy.

¹ " 'This I acknowledge to be according to my opinion, and the opinion of the schoolmen. And our reason is, for that, in cases of lawful equivocation being saved from a lye, the same speech may be without perjury confirmed by oath, or by any other usual way, though it were by receiving the sacrament, if just necessity so require. —HENRY GARNET.' Original in the State Paper-office, in Garnet's own handwriting.

which seems to have been made on purpose to secure the late
alienation of Church-lands to the laity.

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James 6.
parl. 18.
cap. 1, 2,
and 20.

As Hume gives little or no account of those enactments against the Catholics, which have subsequently excited so much discussion, we give the following quotation from Lingard :—

“The chief object for which the parliament had been summoned to meet in November was to supply the royal coffers, which James had emptied by profuse donations to his countrymen, and the extravagance of his establishment. After a long adjournment, occasioned by the discovery of the Gunpowder Plot, the two houses assembled. The lords appeared as usual to have no other wish than to gratify the sovereign; but the commons resumed that bold tone of expostulation and resistance which had given so much offence in the last session. They did not indeed refuse to relieve the wants of the king, though murmurs were heard respecting his indiscretion and prodigality; but they maintained, that every offer of money on their part ought to be met with a corresponding offer of concession on the part of the crown. They brought forward a long catalogue of grievances in the practice of the ecclesiastical courts, in the administration of civil justice, and in the conduct of every department of government; and they sent, to use the significant expression of James, an oyes into every part of the country to find out grounds of complaint. The ministers had recourse to artifice and intrigue: they prayed and coaxed; they attributed the necessities of the king to a debt of four hundred thousand pounds left by the last sovereign, to the charges of the army in Ireland, and to the expenses of a new reign; and while they conceded that James had been sometimes too liberal in his presents, sometimes too prodigal in his pleasures, they held out hopes of immediate amendment, and of strict attention to economy in future. Thus, partly by promises and partly by management, they contrived to elude every motion for reform, and to obtain a vote of three subsidies, and six-tenths and fifteenth¹.

“But there was another question, equally interesting to the passions of the members, and less likely to provoke dissension between them and the crown,—the revision of the penal code, as far as regarded the prohibition of the Catholic worship. To a thinking mind, the late conspiracy must have proved the danger and impolicy of driving men to desperation by the punishment of religious opinion. But the warning was lost: the existing enactments, oppressive and sanguinary as they were, appeared too indulgent; and, though justice had been satisfied by the death and execution of the guilty, revenge and fanaticism sought out additional victims among the innocent. Every member was ordered to stand up in his place, and to propound those measures which in his judgment he thought most expedient. These, in successive conferences, were communicated by one house to the other, and, in each, motions were made and entertained as abhorrent from the common feelings of humanity as the conspiracy itself. Henry IV. of France thought it the duty of a friend to interpose with his advice; and Boderic, his ambassador, was ordered to represent to the king, that his master had learned from experience the strong hold which religion has on the human breast; that it is a flame which burns with increasing fierceness in proportion to the violence employed to extinguish it; that persecution exalts the mind above itself, teaches it to glory in suffering, and renders it capable of every sacrifice in the cause of conscience; that much might be done by kindness—little by severity. Let him punish the guilty—it was his duty; but it was equally his duty to spare the innocent, even in opposition to the wishes of his parliament; as it was also his interest not to goad the Catholics into plots for his destruction, but to convince them that they possessed a protector in the person of their sovereign.

“James was of a lenient disposition. He recommended moderation to his council; attempts were made to check the extravagance of the zealots; and, not till after a long succession of debates, conferences, and amendments, the new code received the royal assent.

¹ “Cobbet's Parliamentary History, 1604. The three subsidies, and six-tenths and fifteenth, added to four subsidies granted by the clergy, were estimated at 453,000*l*.

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*Several of
the Scotch
bishops and
Presbyterian
ministers
sent for to
Hampton-
court.*

Soon after the dissolution of this parliament, several of the Scotch clergy were ordered to attend the king at Hampton-

It repealed none of the laws then in force, but added to their severity by two new bills, containing more than seventy articles, inflicting penalties on the Catholics in all their several capacities of masters, servants, husbands, parents, children, heirs, executors, patrons, barristers, and physicians.—1. Catholic recusants were forbidden under particular penalties to appear at court, to dwell within the boundaries, or ten miles of the boundaries, of the city of London; or to remove on any occasion more than five miles from their homes, without a special licence under the signatures of four neighbouring magistrates. 2. They were made incapable of practising in surgery or physic, or in the common or civil law; of acting as judges, clerks, or officers in any court or corporation; of presenting to the livings, schools, or hospitals in their gift; or of performing the offices of administrators, executors, or guardians. 3. Unless they were married by a Protestant minister, each party was made to forfeit every benefit to which he or she might otherwise be entitled from the property of the other; unless their children were baptized by a Protestant minister within a month after the birth, each omission subjected them to a fine of one hundred pounds; and if after death they were not buried in a Protestant cemetery, their executors were liable to pay for each corpse the sum of twenty pounds. 4. Every child sent for education beyond the sea was from that moment debarred from taking any benefit by devise, descent, or gift, until he should return and conform to the established Church: all such benefit being assigned by law to the Protestant next of kin. 5. Every recusant was placed in the same situation as if he had been excommunicated by name: his house might be searched; his books and furniture, having or thought to have any relation to his worship or religion, might be burnt; and his horses and arms might be taken from him at any time by the order of neighbouring magistrates. 6. All the existing penalties for absence from church were continued, but with two improvements: first, it was made optional in the king, whether he would take the fine of twenty pounds per lunar month, or, in lieu of it, all the personal and two-thirds of the real estate; and, secondly, every householder, of whatever religion, receiving Catholic visitors, or keeping Catholic servants, was liable to pay for each individual ten pounds per lunar month. 7. A new oath of allegiance was devised, for the avowed purpose of drawing a distinction between those Catholics who denied, and those who admitted, the temporal pretensions of the pontiffs. The former—who, it was supposed, would take the oath—were made liable by law to no other penalties than those which have been enumerated; the latter were subjected to perpetual imprisonment, and the forfeiture of their personal property, and of the rents of their lands during life,—or, if they were married women, to imprisonment in the common gaol, until they should repent of their obstinacy, and submit to take the oath.

“That James, in the proposal of the last measure, had the intention of gradually relieving one portion of his Catholic subjects from the burden of the penal laws, is highly probable; but whether those to whom he committed the task of framing the oath, archbishop Abbot, and sir Christopher Perkins, a conforming Jesuit, were animated with similar sentiments, has been frequently disputed. They were not content with the disclaimer of the deposing power: they added a declaration, that to maintain it was impious, heretical, and damnable. It was evident that many, willing to make the former, would hesitate to swear to the latter; and that the supporters of the obnoxious doctrine would gladly justify their refusal of the oath by objecting to this impolitic and unnecessary declaration. The great, the only point of importance, was the rejection of the temporal superiority attributed by many theologians to the pontiff; and it is equally a matter of surprise, that the king on the one hand should have allowed the introduction of a clause calculated to prevent his own purpose, and that the Catholics on the other did not petition that such clause should be totally expunged, or at least cleared from the hyperbolical and offensive epithets with which it was loaded. The oath, however, as it was framed, received the approbation of the legislature; and it was ordered that all the recusants convicted, all individuals suspected of Catholicity, because they had not received the

court. The business was, to give the king satisfaction concerning the late assembly at Aberdeen. His majesty sent for JAMES I.

sacrament twice in the Protestant Church during the last twelve months, and that all unknown persons travelling through any county should be summoned to take it, under the heavy penalties which have been already mentioned.

“ When these enactments were published, they excited surprise and dismay. The French minister pronounced them characteristic of barbarians, rather than Christians. The lords of the council, ashamed of their own work, deliberated on expedients to mitigate their severity; and many Catholics, alarmed at the prospect before them, bade adieu to their native country, while those who remained animated each other to forfeit their liberty, property, and lives, rather than forsake their religion. With these, the lawfulness of the new oath became a question of the highest import. The missionaries were divided in opinion: the Jesuits in general condemned it; Blackwell, the archpriest, with his assistants of the secular clergy, decided in its favour. The controversy was carried to Rome; and while the friends of the former called for vigorous and decisive measures, the king of France admonished the pontiff to beware lest, by irritating James, he should give occasion to the final extinction of the Catholic worship in England.

“ The reigning pope was Paul V. During the discussions in parliament, he had despatched a secret envoy to England, who, under the disguise of a messenger from the duke of Lorraine, obtained admission at court. He was the bearer of two letters: one to the archpriest, instructing him to prohibit by papal authority all seditious and treasonable practices; the other to the king, expressing on the part of the pontiff the deepest detestation of the late plot, and soliciting the royal protection for the innocent Catholics. Though James professed himself pleased, and ordered the accustomed gratuity to be given to the envoy, his answer was cold and unsatisfactory. When Paul learned the failure of this mission, he yielded to the clamour which the enactments in England had excited at Rome; and Holtby, who had succeeded to Garnet as superior of the Jesuits, put into the hands of the archpriest a papal breve, condemning the oath of allegiance as unlawful to be taken, because ‘ it contained many things contrary to faith and salvation.’ Blackwell, aware of the consequences, received it with feelings of the most profound grief; and, when he notified it to his flock, was careful to append to it an admonition, that it was to be considered only as the private dictum of Paul V.

“ The publication of the breve sharpened the resentment of James. By his orders, the bishops began to tender the oath in their respective dioceses; and the recusants by whom it was refused were condemned at the assizes in the barbarous penalties of premunire. Three missionaries, lying under the sentence of death for the exercise of their priestly functions, were summoned to take it: they pleaded scruples of conscience, and received orders to prepare for execution. Two owed their lives to the timely intercession of the prince of Joinville, and of the French ambassador. Drury, the third, suffered the punishment of a traitor. He was one of those who had signed the protestation of allegiance to Elizabeth, and who believed in his own judgment that the oath of James was equally admissible. But he dared not prefer his private sentiments before those of the pope, and of many among his brethren, and chose to shed his blood rather than pollute his conscience by swearing to the truth of assertions which he feared might possibly be false.

“ In the course of the next summer, the archpriest himself fell into the hands of the pursuivants. His opinion was already known; he cheerfully avowed it in the presence of the commissioners at Lambeth; and, in a circular-letter to the Catholics, announced that he had taken, and that he deemed it lawful for them to take, the oath, in the sense in which it had been explained by the lawgiver, the king himself. His conduct was highly applauded by James; yet, so violent were the prejudices of the zealots, that, though he lamented the imprisonment of the old man, he dared not grant him any other indulgence than that he should not be brought to trial on the capital offence, of having received holy orders beyond the sea. He was in his seventieth year, and languished in confinement till his death in 1613.

“ This

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several of both parties. The archbishops of St. Andrew's and Glasgow, the bishops of Orkney, Galloway, and Mr. James Nicholson, designed for the see of Dunkeld, made one part of the division; those on the other side were Mr. Andrew and Mr. James Melvil, Mr. James Balfour, Mr. William Watson, Mr. William Scot, Mr. John Carmitchel, and Mr. Adam Colt.

The king ordered some of the English bishops to attend him at the same time, and preach by turns upon the subjects given them. Barlow, bishop of Lincoln, began the exercise: his

"This submission of Blackwell was considered as a triumph: the admonitory letters sent to him by Parsons and Bellarmine, the appointment of Birket as archpriest in his place, and the publication of the second breve confirmatory of the first, successively raised the indignation of the king to the highest pitch. Sending for his favourite theologians, he shut himself up with them in his study, refusing to listen to his ministers, postponing the most urgent affairs of state, and denying himself even the pleasures of the chase. The fruit of his retirement at last appeared in a tract entitled 'An Apologie for the Oath of Allegiance,' which was immediately translated into the Latin and French languages. It was followed by the condemnation of six priests for the exercise of their functions: they refused the oath; their obstinacy was not subdued by the perusal of the king's tract; and three out of the six paid the forfeit of their lives, one at York and two at Tyburn.

"The king was now fairly launched on the sea of controversy, where he believed himself an equal match for any opponent. It was not long before he received answers to the 'Apologie,' from Parsons and Bellarmine. Vanity urged him to refute their arguments; resentment, to chastise their presumption. His theological coadjutors were again summoned to his closet: his former work was revised, and to it was prefixed an address, called 'A Premonition to all Christian Princes.' He made, however, but little progress: every particular question gave birth to endless debates; and what with objections, and improvements, and diversity of opinions, it was found, that, at the end of several weeks, the work was scarcely more advanced than it had been at the commencement. The kings of France and Denmark exhorted him to desist from a contest unworthy of a crowned head. To the former, James replied in terms of respect; but the latter he admonished to consider his own age, and to blush at his folly in offering advice to a prince so much older and wiser than himself. The queen, having tried her influence in vain, turned her anger against the earl of Salisbury, whom she suspected of encouraging her husband in this pursuit, that he might govern the kingdom at his pleasure. But, though the mountain had been long in labour, though the public had been kept for months in breathless suspense, when the hour of parturition arrived, it was unexpectedly deemed prudent to suppress the birth. A new light had burst on the mind of James: he ordered all the printed copies to be called in; the work to be again revised and corrected; and, after many new alterations, gave it at last to the world in a less voluminous and less offensive form. Special messengers were despatched to present it to the several princes in Europe: by most it was accepted as a compliment; by the king of Spain and the archduke, it was peremptorily refused.

"Neither the publications of James and his divines, nor those of his adversaries, determined the controversy, which continued to divide the Catholics for the greater part of the century. On the one hand, the oath was refused by the majority of those to whom it was tendered; on the other, it was taken by many of considerable weight, both among the clergy and laity. Among the latter are to be numbered the Catholic peers, (they amounted to more than twenty,) who, with a single exception, spontaneously took the oath, on different occasions, in the upper house of parliament."

text was Acts xx. 28, "Take heed therefore unto yourselves, and to all the flock over which the Holy Ghost has made you overseers," &c. From these words he took occasion to prove the superiority of bishops over presbyters, both from the Scriptures and the testimony of the ancients. He likewise insisted upon the inconvenience of parity in the Church, and the confusions consequent upon that scheme. JAMES I.

Buckeridge, bishop of Rochester, came next, and preached upon Romans xiii. 1, "Let every soul be subject to the higher powers." From this text, which seems somewhat surprising, he endeavoured to establish the regale. However, he is said to have maintained the king's supremacy in ecclesiastical causes to the satisfaction of the audience. But the Scotch ministers were somewhat galled to hear a parallel drawn between the pope and the Presbyterians, in their encroachment upon princes.

Andrews, then bishop of Chichester, followed Buckeridge, and took some of the first verses of the tenth chapter of Numbers for his text, "Make thee two trumpets of silver," &c. From these words his business was to prove the authority of secular princes for convening synods and councils.

King, bishop of London, came up at last. His text was the eleventh verse of the eighth chapter of Canticles. The discourse, though somewhat remote from the words, was suitable to the occasion: for the sermon was principally spent in proving that lay-elders were Church-officers unknown to the ancient Church; and that the modern scheme had no warrant either from precept or example, no countenance in Scripture or primitive practice.

The king ordered these sermons as a preliminary expedient: he hoped the controversy between the Kirk and the hierarchy, being thus learnedly managed, might bring the Scotch out of their mistakes, or at least make them more tractable.

At their first appearing in the presence, the king acquainted them, "that the reason of his sending for them was to know their opinions touching the meeting at Aberdeen, where a few ministers, in contempt of his authority, had convened themselves; and notwithstanding they failed, both in numbers and customary method, they had the presumption to keep together, and call their junto a general assembly, and that some of them had since maintained their misbehaviour, and declined the

Spotswood's
Church
Hist.

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jurisdiction of his council. His majesty, therefore, desired to hear their thoughts upon this conduct, because he was informed several ministers justified that meeting, and recommended the principal criminals to the prayers of their congregations." Now this, as the king observes, was in effect to proclaim him a tyrant and a persecutor.

To this Mr. James Melvil answered, that the ministers had no such peremptory command to break up the assembly as was reported; and turning to sir Alexander Straiton, then present, conjured him to declare his knowledge of that matter. In short, Melvil endeavoured to defend the legality of the assembly, notwithstanding the defects objected in numbers and form.

The Presbyterian ministers refuse to condemn the Aberdeen assembly.

The king, finding them disposed to maintain their ground, demanded their answer to these three questions: "1. Whether it is lawful to pray publicly for criminals convicted by a legal court, as persons afflicted and in distress? 2. Whether I may not," continues the king, "as a Christian prince, by virtue of my authority royal, convene, adjourn, and dissolve any assemblies within my dominions for necessary reasons best known to myself? 3. Whether I am not empowered by my regal authority to summon any person whatsoever, either civil or ecclesiastical, before me and my council, to answer for misdemeanours by them committed in any place of my dominions? And whether it is not lawful for me to try the offence, and proceed to judgment? And, farther, whether all my subjects, being summoned before me and my council, are not obliged to make their appearance, and own me or my council competent judges?"

Idem.

Mr. James Melvil desiring some time to deliberate upon such weighty questions, the king was contented to stay for their resolution till the next day. When they came, the Scotch bishops, being first asked their opinion, unanimously condemned the Aberdeen assembly as illegal, turbulent, and factious. But the two Melvils, Balfour, and Scott, made shuffling and evasive answers; upon which, these ministers and the rest of the brethren that came along with them were ordered not to return into Scotland without the king's licence, and forbidden to appear at the queen and prince's court.

They answer evasively to the king's questions. October 20.

Idem. The ministers convicted of treason banished.

The king, being thus disappointed by the obstinacy and singularities of these men, sent an order into Scotland for banishing the ministers convicted of treason.

About this time, pope Paul V. published a brief, directed to JAMES I.
the English Roman Catholics.

The pope, after having lamented the suffering of those of his communion in England, acquaints them of his being informed, “that the government had lately obliged them, under severe penalties, to go to the heretics’ churches, to make part of their congregation, and hear their sermons; that he hopes those who have behaved themselves with such remarkable constancy will never yield to so criminal a compliance. However, out of his pastoral care and paternal affection, he charges them never to indulge themselves in any such latitude, or take such dangerous steps; that they cannot join with heretics in religious worship without incurring God Almighty’s displeasure, and hazarding their own salvation.” From hence he proceeds to caution them against taking the oath of allegiance. The rest may be seen in the records. And how slenderly the pope was founded in his exceptions to the oath of allegiance, will be observed by and by.

The pope’s brief, forbidding the English papists to come to church or take the oath of allegiance.

See Records, num. 101.

The reader may remember a new translation of the Bible was resolved at the late Hampton-court conference. To encourage this work, the king had already made some preparatory advances, as appears by his letter to the archbishop of Canterbury. It stands thus:—

A translation of the Bible undertaken.

“Right trusty and well-beloved, we greet you well. Whereas we have appointed certain learned men, to the number of four and fifty, for the ‘translation’ of the Bible, and that in this number divers of them have either no ecclesiastical preferment at all, or else so very small, that the same is far unmeet for men of their deserts, and yet we of ourself in any convenient time cannot well remember it. Therefore we do hereby require you, that presently you write in our name, as well to the archbishop of York, as to the rest of the bishops of the province of Canterbury, signifying unto them that we do well and straitly charge every one of them, as also the other bishops of the province of York, as they tender our good favour towards them, that (all excuses set apart) when any prebend or parsonage being rated in our book of taxations, the prebend at twenty pound at the least, and the parsonage to the like sum and upwards, shall next upon any occasion happen to be void,

The king’s letter for encouraging and advancing the work.

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and to be either of their patronage and gift, or the like patronages so void, to be of the patronage and gift of any person whatsoever, they do make stay thereof, and admit none unto it, until certifying us of the avoidance of it, and of the name of the patron (if it be not of their own gift) that we may commend for the same some such of the learned men, as we shall think fit to be preferred to it; not doubting of the bishop's readiness to satisfy us herein, or that any of the laity, when we shall in time move them to so good and religious an act, will be willing to give us the like due contentment and satisfaction: we ourself having taken the same order for such prebends and benefices as shall be void in our gift, what we write to you of others, you must apply to yourselves, as also not forget to move the said archbishop, and all the bishops, with their deans and chapters, of both provinces, as touching the other point to be imparted by you to them. Furthermore, we require you to move all our bishops to inform themselves of all such learned men within their several dioceses, as having especial skill in the Hebrew and Greek tongues, have taken pains in their private studies of the Scriptures, for the clearing of any obscurities, either in the Hebrew or in the Greek, or touching any difficulties or mistakings in the former English translation, which we have now commanded to be thoroughly viewed and amended, and thereupon to write unto them, earnestly charging them, and signifying our pleasure therein, that they send such their observations, either to Mr. Liveline, our Hebrew reader in Cambridge, or to Dr. Harding, our Hebrew reader in Oxford, or to Dr. Andrews, dean of Westminster, to be imparted to the rest of their several companies, that so our said intended 'translation' may have the help and furtherance of all our principal learned men within this our kingdom. Given under our signet, at our palace of Westminster, the two-and-twentieth of July, in the second year of our reign of England, France, and Ireland, and of Scotland the thirty-seventh."

693.

Regist.
Whitgift,
pt. 3.
fol. 155.

This letter being written about three years since, it is probable seven of the persons nominated for this performance died in the interval: for Fuller's list of the translators amounts but to forty-seven. This number, ranged under six divisions,

entered upon the work this spring. The names of the persons, ^{JAMES I.} and the places where they met, together with the portions of Scripture assigned each company, are as follow :

WESTMINSTER, 10.

The Pentateuch ; the History from Joshua to the First Book of the Chronicles, exclusively.

A list of the translators, with the portions of Scripture assigned to them.

Dr. Andrews, fellow and master of Pembroke-hall in Cambridge, then dean of Westminster, after bishop of Winchester.

Dr. Overall, fellow of Trinity-college, master of Catharine-hall in Cambridge, then dean of St. Paul's, after bishop of Norwich.

Dr. Saravia.

Dr. Clarke, fellow of Christ-college in Cambridge, preacher in Canterbury.

Dr. Laifield, fellow of Trinity in Cambridge, parson of St. Clement-Dane's. Being skilled in architecture, his judgment was much relied on for the fabric of the Tabernacle and Temple.

Dr. Leigh, archdeacon of Middlesex, parson of Allhallow's Barking.

Master Burgley.

Mr. King.

Mr. Thompson.

Mr. Bedwell of Cambridge, and (I think) of St. John's, vicar of Tottenham, nigh London.

CAMBRIDGE, 8.

From the First of the Chronicles, with the rest of the History and the Hagiographia, viz. Job, Psalms, Proverbs, Canticles, Ecclesiastes.

Mr. Richardson, fellow of Emanuel, after D.D., master, first of Peter-house, then of Trinity-college.

Mr. Chadderton, after D.D., fellow of Christ-College, then master of Emanuel.

Mr. Dillingham, fellow of Christ-college, beneficed at — in Bedfordshire, where he died.

Mr. Andrews, after D.D., brother to the bishop of Winchester, and master of Jesus-college.

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Mr. Harrison, the reverend vice-master of Trinity-college.

Mr. Spalding, fellow of St. John's in Cambridge, and Hebrew professor therein.

Mr. Bing, fellow of Peter-house in Cambridge, and Hebrew professor therein.

OXFORD, 7.

The four greater Prophets, with the Lamentations, and the twelve lesser Prophets.

Dr. Harding, president of Magdalen-college.

Dr. Reynolds, president of Corpus Christi-college.

Dr. Holland, rector of Exeter-college, and king's professor.

Dr. Kilby, rector of Lincoln-college, and regius professor.

Master Smith, after D.D. and bishop of Gloucester. He made the learned and religious preface to the Translation.

Mr. Brett, beneficed at Quainton in Buckinghamshire.

Mr. Fairelowe.

CAMBRIDGE, 7.

The Prayer of Manasseh, and the rest of the Apocrypha.

Dr. Duport, prebendary of Ely, and master of Jesus-college.

Dr. Brainthwait, first fellow of Emanuel, then master of Gonvil and Caius-college.

Dr. Radcliffe, one of the senior fellows of Trinity-college.

Master Ward, Emanuel, after D.D., master of Sidney-college, and Margaret professor.

Mr. Downes, fellow of St. John's-college, and Greek professor.

Mr. Boyse, fellow of St. John's-college, prebendary of Ely, parson of Boxworth in Cambridgeshire.

Mr. Ward, of King's-college, after D.D., prebendary of Chichester, rector of Bishop-Waltham in Hampshire.

OXFORD, 8.

The four Gospels, Acts of the Apostles, Apocalypse.

Dr. Ravis, dean of Christ-church, afterwards bishop of London.

Dr. Abbot, master of University-college, afterwards arch- JAMES I.
bishop of Canterbury.

Dr. Eedes.

Mr. Thompson.

Mr. Savill.

Dr. Peryn.

Dr. Ravens.

Mr. Harmer.

WESTMINSTER, 7.

The Epistles of St. Paul, the canonical epistles.

Dr. Barlowe, of Trinity-hall in Cambridge, dean of Chester,
after bishop of Lincoln.

Dr. Hutchenson.

Dr. Spencer.

Mr. Fenton.

Mr. Rabbet.

Mr. Sanderson.

Mr. Dakins.

Fuller's
Ch. Hist.
book 10.

And that they might proceed to the best advantage in their method and management, the king suggested the instructions following :

1. The Bible read in the church, commonly called the "Bishops' Bible," was to receive as few alterations as might be ; and was to pass throughout, unless the originals called plainly for an amendment. *Directions recommended to translators by the king.*
694.

2. The names of the prophets and the inspired writers, with the other names in the text, to be kept, as near as may be, as they stand recommended at present by customary use.

3. The old ecclesiastical words to be retained. For instance, the word Church not to be translated Congregation, &c.

4. When any word has several significations, that which has been commonly used by the most celebrated Fathers should be preferred ; provided it is agreeable to the context and the analogy of faith.

5. As to the chapters, they were to continue in their present division, and not to be altered without apparent necessity.

6. The margin not to be charged with any notes, excepting for the explanation of the Hebrew or Greek words, which can-

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not be turned without some circumlocution, and therefore not so proper to be inserted in the text.

7. The margin to be furnished with such citations as serve for a reference of one place of Scripture to another.

8. Every member of each division to take the chapters assigned for the whole company; and after having gone through the version or corrections, all the division was to meet, examine their respective performances, and come to a resolution, which parts of them should stand.

9. When any division had finished a book in this manner, they were to transmit it to the rest to be farther considered.

10. If any of the respective divisions shall doubt or dissent upon view of the book transmitted, they were to mark the places, and send back the reasons of their disagreement: if they happen to differ about the amendments, the dispute was to be referred to a general committee, consisting of the best distinguished persons drawn out of each division. However, this decision was not to be made till they had gone through the work.

11. When any place is found remarkably obscure, letters were to be directed, by authority, to the most learned persons in the universities, or country, for their judgment upon the text.

12. The directors in each company were to be the deans of Westminster and Chester, and the king's professors in Hebrew and Greek in each university.

13. The translation of Tindal, Mathews, Coverdale, Whitchurch, and Geneva, to be used when they come closer to the original than the Bishops' Bible.

Lastly, Three or four of the most eminent divines in each of the universities, though not of the number of the translators, were to be assigned by the vice-chancellor, to consult with other heads of houses for reviewing the whole translation.

This undertaking being managed with great care and deliberation, it was about three years before it was finished ¹.

Dr. John Reynolds died soon after his engaging in this work. He was born at Pinhoe, in Devonshire, bred in Oxford, where he was king's professor. His brother William and

May 21,
1607.

Dr. Reynolds' death,
§c.

¹ This translation, our present vulgate, might be greatly improved by a careful revision, as the Biblical criticism of recent times has suggested many corrections.

himself happened to divide in their persuasion: John was a zealous Papist, and William as heartily engaged in the Reformation. Afterwards the two brothers entering into a close dispute, argued with that strength that they turned each other. This surprising event gave occasion to a handsome copy of verses.

*Bella inter geminos plusquam civilia fratres,
Traxerat ambiguus religionis apex, &c.*

This Dr. Reynolds, notwithstanding his appearing for the Dissenters at the Hampton-court conference, conformed himself to the Church ceremonies. For instance, he constantly wore the hood and surplice, and received the holy eucharist kneeling. And on his death-bed he earnestly desired absolution in the form prescribed by the rubric: and having received it with imposition of hands by Dr. Holland, expressed his satisfaction in a particular manner. He had the reputation of a great scholar, and was unusually happy in his memory.

Crackanthorpe's Defence, &c. against Spalato. Fuller's Ch. Hist. book 10. The pope's second brief against the oath of allegiance.

The next considerable occurrence, is pope Paul V.'s second brief to the English Roman Catholics. The design of it is to dissuade their taking the oath of allegiance. The pope had been informed the authority of his first brief had been questioned: that the directions in it were not the result of his holiness's judgment, but that he was over-ruled into it by the importunities of others: and that, for this reason, the practice of the English Roman Catholics ought not to be governed by this instrument. To remove this mistake, he assures them the declaration against the oath of allegiance in the brief above-mentioned was drawn by his special direction, after he had thoroughly debated the matter: and that therefore they are bound to practice by the plain and obvious construction of the brief, rejecting all strained interpretations for indulgence. This second admonition is dated from Rome, August the 22d, A. D. 1607.

This brief was seconded by a letter of cardinal Bellarmine to Blackwell. This arch-priest had lately been committed to prison, and enlarged himself by taking the oath of allegiance. To prevent being censured for this compliance, he justifies his conduct in a letter to the English clergy of his communion: I shall give the reader the letter in his own words.

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*The arch-
priest Black-
well's letter
recommending the
taking this
oath.*

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“ My very reverend assistants, and dear brethren,
“ You know how many years I have passed over amongst you in much tribulation, and how often under God his holy protection I have escaped dangers, albeit they were still imminent, and hanging over my head. But now of late it hath pleased our gracious Lord to suffer me to fall into the mouth of one who hath long gaped after me ; for the safety of whose soul, if I be as careful as he hath been forward upon the apprehension of my body, I shall but perform the duty of a good Christian. I thank God, that in all my afflictions of twelve days' close imprisonment, and of eight examinations at Lambeth, I have given no offence to any person to speak evil of me, neither (as I trust) shall I run upon their hard censures for any thing I have done ; I must confess, but not without much grief, that in the course of mine examinations, I espied great defects of sincere dealing among ourselves ; for the lord archbishop made an heavy present unto me of his holiness's briefs, and of the copies of my letters about the publication of the same, with such other pressing evidences of all my proceedings, that I could not avoid, without a reproachful note, and much discredit, the force of truth in the points objected against me : but the urging super-eminent point was to know, whether I had altered or retained still the continuance of my former opinion about the lawfulness of taking the oath of allegiance : for answer, finding what hatred and jealousies we have incurred in the opinion of his majesty and the state, for the refusal of the oath, and thereupon making a review of the reasons drawing me into the former public approbation thereof, and relying upon very moving considerations delivered by his majesty, 19 Martii, anno 1603, which are now in print ; and farther, being informed how the parliament did purposely avoid to call into question the authority of the pope to excommunicate, but did only intend to prevent the dangers which might ensue, by the supposed doctrine of such inference, as thereupon hath been made, and are mentioned in that oath : upon these respects and others, I granted and made known the admittance of my former opinion, and did accept of the oath of allegiance, and have taken the same, word for word, as it is set down in the statute. ——— Afterwards falling into speech of excommunication, I delivered my mind : First, that I

thought his holiness would not at any time excommunicate his JAMES I.
 majesty. Secondly, That no lawful excommunication can or
 ought to enforce such grievous effects, as have been made, and
 are mentioned in that oath. Thirdly, That if any such excom-
 munication should come from his holiness, that by virtue
 thereof it should be thought that his majesty's subjects were
 discharged of their oaths and duties of allegiance, or that they
 were bound to bear arms against him, or to offer violence unto
 his royal person, or to commit any treachery or treason against
 any of his dominions; I would hold myself, nevertheless, for
 my part and estate, bound by the law of God to continue his
 majesty's most loyal and faithful subject: and my judgment
 farther is, that all good Catholics ought to concur with me
 herein, and to do the like, for this is my conscience and reso-
 lution, that no lawful excommunication can be justly de-
 nounced and published by the pope against his majesty, which
 can or ought (as I have said) to inculcate, command, or work,
 and bring forth any such effects: and that all his majesty's
 subjects, the same notwithstanding (if any such should ever
 happen) do still continue as firmly obliged to his majesty, to
 all intents and purposes, as they were ever obliged at any
 time before, or as if such an excommunication had never been
 thought of, framed, denounced, or published. And therefore,
 not knowing whether ever I shall have opportunity again to
 write unto you, I have thus at large discharged my conscience
 in this matter, persuading myself that you, my assistants and
 dear brethren, will take the oath as I have done, when it shall
 be offered unto you; and that you will instruct the lay Catho-
 lics that they may so do when it is tendered unto them; so
 shall we shake off the false and grievous imputations of trea-
 sons and treacheries; so shall the lay Catholics not overthrow
 their estates, so shall we effect that which his holiness de-
 sireth, that is, to exhibit our duties to God and our prince.
 Surely this will bring us gain and increase of many comforts;
 and so to conclude in the Apostle his words, 'Charitas mea
 cum omnibus vobis in Christo Jesu. Amen.' July 7, 1607. Paper-office.

“GEORGIUS BLACKWELLUS, Archipresbyter et
 “Protonotarius Apostolicus.”

Bellarmino, not pleased with Blackwell's management, writes

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Bellarmino's
dissuasive,
&c. to
Blackwell.

to him in an expostulatory strain; and tells him, "that notwithstanding the modifications, pretensions of civil homage, and all the specious colours put upon the oath of allegiance, it was levelled against the pope's supremacy; and that the tendency of it was to transfer the government of the Church from St. Peter's successor to the successor of King Henry VIII. That it was no better than a snare laid to surprise the Catholics: that the imposing this oath might be compared to the art made use of by the emperor Julian: that this prince, to bring the Christians under a dilemma, and distress them, either in fortune or conscience, planted the figures of his pretended deities about his own: and thus if the Christians paid a respect to the emperor's statue, they lay under the imputation of idolatry: and if they refused this customary regard, they were charged with disaffection, and punished as malcontents. For a farther dissuasive, the cardinal reminds Blackwell of the fortitude of Eleazar, the Jewish high-priest, who resigned himself to the extremity of torture, rather than eat swine's flesh. That the great St. Basil despised the menaces of the emperor Valens, and chose rather to run the utmost hazards than give up the least syllable of the consubstantial belief. He likewise mentions the constancy of bishop Fisher and sir Thomas More, who lost their lives for their adherence to the see of Rome."

Macc. ii.

See Records,
num. 101.

The cardinal
mistakes the
oath of al-
legiance for
that of su-
premacv.
Apology for
the Oath of
Allegiance.
K. James's
Works,
p. 263.

But here, not to mention the inconclusiveness of the cardinal's reasoning, not to mention this, I say, he goes upon a wrong ground, and quite mistakes the question. He takes it for granted the pope's spiritual authority was struck at, argues upon that supposition, and brings his instances in defence of that privilege. In short, he mistakes, as the king observes, this oath for that of supremacy. For the oath of allegiance touches nothing of this nature, nor makes any decision between the pontificate and regale. It is designed for no more than a test of loyalty: it was contrived only to distinguish those who believe the pope a temporal monarch over all Christendom; and suppose the king had forfeited his dominions by his revolt, as they call it, from the see of Rome; it was to distinguish, I say, such intolerant bigots from other Roman Catholics of sounder principles; from such who are ready to stand by their prince, though under never so great a mispersuasion; who readily grant that neither schism nor heresy can affect a title

to the crown, or disable the prince's government. That this ^{JAMES I.} is the meaning of the oath of allegiance will appear from the recital. It stands thus :—

“ I, A. B., do truly and sincerely acknowledge, profess, tes- *The oath of*
tify, and declare in my conscience before God and the world, *allegiance.*
that our sovereign lord king James is lawful and rightful king 696.
of this realm, and of all other his majesty's dominions and
countries : and that the pope, neither of himself, nor by any
authority of the Church or see of Rome, or by any other means
with any other, hath any power or authority to depose the
king, or to dispose of any of his majesty's kingdoms or domi-
nions, or to authorize any foreign prince to invade or annoy
him, or his countries, or to discharge any of his subjects of
their allegiance and obedience to his majesty, or to give licence
or leave to any of them to bear arms, raise tumult, or to offer
any violence or hurt to his majesty's royal person, state or
government, or to any of his majesty's subjects within his
majesty's dominions.

“ Also I do swear from my heart, that notwithstanding any
declaration or sentence of excommunication, or deprivation
made or granted, or to be made or granted by the pope or his
successors, or by any authority derived, or pretended to be de-
rived from him or his see, against the said king, his heirs and
successors, or any absolution of the said subjects from their
obedience : I will bear faith and true allegiance to his majesty,
his heirs and successors, and him and them will defend to the
uttermost of my power, against all conspiracies and attempts
whatsoever which shall be made against his or their persons,
their crown and dignity, by reason or colour of any such sen-
tence or declaration, or otherwise, and will do my best endea-
vour to disclose and make known unto his majesty, his heirs
and successors, all treasons and traitorous conspiracies, which
I shall know or hear of to be against him or any of them.

“ And I do further swear, that I do from my heart abhor,
detest, and abjure as impious and heretical this damnable doc-
trine and position, that princes which be excommunicated or
deprived by the pope, may be deposed or murdered by their
subjects, or any other whatsoever.

“ And I do believe, and in conscience am resolved, that
neither the pope, nor any person whatsoever, hath power to

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absolve me of this oath, or any part thereof, which I acknowledge by good and full authority to be lawfully ministered unto me, and do renounce all pardons and dispensations to the contrary. And all these things I do plainly and sincerely acknowledge and swear, according to these express words by me spoken, and according to the plain and common sense and understanding of the same words, without any equivocation or mental evasion, or secret reservation whatsoever. And I do make this recognition and acknowledgment heartily, willingly, and truly, upon the true faith of a Christian. So help me God."

1 James I.
cap. 4.

And that this oath was no modern imposition, no pressure, upon the conscience of the subject, the king proves in his apology from unexceptionable authorities. To this purpose he cites the decrees of the fourth, fifth, sixth, and tenth councils of Toledo. To begin :

K. James's
Works,
p. 265.

The decree of the fourth council runs thus :—

*The king
cites several
councils for
the oath of
allegiance.*

"Whosoever, either of us, or any of the Spanish nation, shall by conspiracy or disloyal practice break his oath of fidelity which he has taken for the preservation of his country and the life of his prince ; or shall engage in any violent attempt upon the king's person, or endeavour to deprive him of his regal power ; or shall presume to grasp at the sovereignty by usurpation ; let him be accursed in the sight of God the Father, and his holy angels, and thrown out of the communion of the Catholic Church, which he has profaned by his perjury : let him be declared an alien to the society of all Christian people ; and let all the abettors of his wickedness stand in the same foreign condition ; for those who join in the crime ought not to be parted in the punishment."

Concil.
Tolet. 4.
can. 47.
A. D. 633.

This sentence is thrice repeated in the same canon, and almost in the same words.

After this the synod moved it might be confirmed by the approbation of all present. To this all the clergy and people answered, "Whosoever shall have the confidence to violate this decree of yours, let them be anathema maranatha ; that is, let them utterly perish at the Lord's coming, and let them and their accomplices have their portion with Judas Iscariot. Amen."

And in the fifth council of Toledo, it is farther decreed, that this canon, touching the oath of allegiance, shall be repeated in every Spanish council. The words are these: "Considering men are prone to mischief and forgetfulness of duty, the holy synod has ordained, that in every council of the Spanish bishops the decree of the general council, made for the security of our princes, shall be pronounced with an audible voice at the end of the synod; that thus being frequently proclaimed in the ears of the people, their memories may be refreshed, and their consciences frightened from the practice of rebellion."

JAMES I.
Concil.
Tolet. 5.
can. 7.
A.D. 636.

Synod.
Tolet. 4.
Universalis
et Synodus
magna dicta.
Synod.
Tolet. 5.
cap. 2.

The sixth council speaks thus: "We declare before God and all the heavenly hierarchy, in the presence of the prophets and apostles, and the glorious company of martyrs, and before all the Catholic Church, that no man shall presume to attempt the destruction of the king; no man shall touch the life of the prince; no man shall deprive him of the kingdom; no man shall traitorously or tyrannically presume to usurp the sovereignty of the realm; no man shall distress the prince in his adversity by joining traitors and rebels against him: and if any of us shall venture upon any of these instances of disloyalty and prevarication, let the curses of God be discharged at him, and let him be looked on as a person irrecoverably condemned to eternal vengeance."

And in the tenth council held at the same place, it is ordained, "that if any of the clergy or religious, from the highest to the lowest order, shall be found guilty of breaking the oaths made for the preservation of the king's person, let him be forthwith degraded from all dignity and creditable distinction, and barred all posts of honour and trust."

Concil.
Tolet. 10.
can. 2.
A.D. 694.

The occasion of making these canons was to meet with the disloyalty of the subject; for it seems many of them were suspected for insincerity; and that they either took the oath with equivocating reserves, or else made no conscience to fly off from the solemn engagement.

Concil.
Tolet. 4.
cap. 74.
Concil.
Aquisgran.
sub Ludovic.
Pio et Greg.
4. can. 12.
A.D. 836.
K. James's
Works,
p. 266, 267.

The council of Aix-la-Chapelle deliver themselves to the same purpose: "If any bishop or other churchman of inferior degree shall hereafter, through fear or covetousness, or any other motive, revolt from our lord the emperor Lewis, or violate the oath of allegiance sworn to him, or shall adhere to his

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enemies, let him by virtue of this synodical sentence be deprived of all his preferments."

Bellarmino, in the letter before us to Blackwell, endeavours to clear the pope from giving countenance to violence against princes. "Was it ever heard," says the cardinal, "from the beginning of Christianity to the present time, that any pope ever commanded or allowed the killing of any prince, though an heretic, an heathen, or a persecutor?"

But here the king takes notice, in the first place, that Bellarmine makes an artificial omission; he forgets taking off the imputation of the pope's abetting insurrections, and deposing of princes; and that the cardinal had elsewhere plainly asserted the pope's authority for disposing of crowns.

697. But, secondly, that some popes have directly allowed the killing of princes his majesty endeavours to prove from the several rebellions they have raised in the empire; particularly Gregory VII. inciting Henry V. to make war upon the emperor his father Henry IV. But the king waving these more ancient relations, comes closer to a modern instance, and cites "Sixtus Quintus's" oration in commendation of James Clement, who murdered king Henry III. of France.

1d. p. 270.

As to the oath of allegiance, pope Paul V. was so far from allowing it upon any consideration, that he removed Blackwell from his post of archpriest for his compliance above-mentioned; and afterwards directed a third brief to one Birchett, whom his holiness had put in Blackwell's place. The brief was to admonish this Birchett, that if any English priest had either taken the oath, or asserted it might be lawfully taken, he was to declare such a complier had incurred the forfeiture of all rights and privileges granted him by the Church, or the apostolic see.

But the learned Mons. Du Pin takes notice these briefs of pope Paul are little to be regarded in this matter: for as this gentleman observes, most of the English Roman Catholics took the oath of allegiance without the least imputation of heterodoxy; and not only Blackwell, but Widdrington, and several other Papists, wrote in defence of it. And afterwards, when the Sorbon divines were consulted upon the case, whether this oath might be sworn to king Charles I., the faculty made no scruple to resolve the question in the affirmative.

*The Sorbon
divines de-
clare for the
lawfulness
of the oath of
allegiance.
Du Pin
de Antiq.
Eccles.
Disciplin.
Dissert.
Historic.
Dissert. 7.
cap. 3.*

This year, in July, Martin Heton, bishop of Ely, departed JAMES I.
 this life. He was son to George Heton, esq., of Heton-hall,
 in the county of Lancaster, who was descended in a direct line
 from sir Alan de Heton, living in the reign of king Richard
 II. The rest of this prelate's character and preferment may
 be seen in my supplement to Morery's dictionary.

The death of Thomas Ravis, first dean of Christ-church,
 and afterwards successively bishop of Gloucester and London,
 happened about this time. He was born at Maldon in Surrey,
 and extracted from a considerable family, as appears by the
 inscription on the tomb: he was a very graceful person, and
 supported his character to advantage.

To proceed: the parliament met at Westminster, February
 the 19th, 1609, sat till July the 23d, 1610, and was then pro-
 rogued again till the 10th of October following. There was
 nothing done, excepting the making an act to enable the fellows
 and provost of Chelsea-college to dig a trench out of the river *Chelsea-col-
 lege founded
 by the king
 at the in-
 stance of Dr.
 Sutcliffe.*
 Lee, to erect engines, water works, &c. to convey and carry
 water in close pipes under ground unto the city of London,
 and the suburbs thereof, for the perpetual maintenance and
 sustentation of the said provost and fellows, and their success-
 ors, by the rent to be made of the said water so conveyed.

7 James I.
 cap. 9.

The preamble of the statute sets forth the design, "that his
 majesty, for defence of true religion now established within
 this realm of England, and for the refuting of errors and
 heresies repugnant unto the same, hath been graciously pleased
 by his letters-patent under the great seal of England, to found
 a college at Chelsea near London, and therein to place certain
 learned divines, and to incorporate the same by the name of
 the provost and fellows of the college of king James, in Chel-
 sea near London, of the foundation of the same James, king
 of England, and hath of his most gracious bounty and
 goodness, not only endowed the same with certain lands, privi-
 leges, and immunities, but hath also for their further mainte-
 nance and sustentation, given unto them a capacity and ability
 to receive and take from his majesty, or any of his loving
 subjects, any lands, tenements, hereditaments, gifts, benefits
 and profits whatsoever, not exceeding in the whole the yearly
 value of three thousand pounds, as in and by the said letters-
 patent doth more at large appear."

From hence the reader may perceive it was founded for a

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defence of the established Church: it was to afford divines leisure and other conveniences to spend their time wholly in controversy, and maintain the reformation against Papists and Dissenters.

The names of the provost and fellows settled by the king are as follow:—

May 8.
A.D. 1610.

Matthew Sutcliffe, dean of Exeter, provost.

1. John Overall, dean of St. Paul's.

2. Thomas Morton, dean of Winchester.

3. Richard Field, dean of Gloucester.

4. Robert Abbot,

5. John Spenser,

6. Miles Smith,

7. William Covitt,

8. John Howson,

9. John Layfield,

10. Ben. Charrier,

11. Martin Fotherbie,

12. John Boys,

13. Richard Brett,

14. Peter Lilie,

15. Francis Burley,

16. William Hellier, archdeacon of Barnstable.

17. John White, fellow of Manchester-college.

Doctors of Divinity.

There was likewise a provision made for two historians, who were to transmit the affairs of Church and State to posterity: those appointed by the king, were

William Cambden, Clarenceux.

John Haywood, doctor of law.

Fuller's
Ch. Hist.

Next to the king, Dr. Sutcliffe, the provost, went farthest in the foundation, having conveyed farms to the value of three hundred pounds per annum upon this college. This foundation, though strongly countenanced at first, miscarried afterward, and came to nothing. The conjectures upon the causes of this misfortune are too long to mention.

Archbishop Bancroft offered a significant project to the par-

liament for furnishing the clergy with a competent maintenance. JAMES I.
 The heads of the scheme are as follow:—

- “1. That all predial tithes of benefices with cure may be paid in kind hereafter, &c.
- “2. That personal tithes may be urged upon oath, being confessed to be due by law.
- “3. That as oblations are due by law to parsons and vicars that have cure of souls, they may accordingly be paid unto them, as heretofore hath been accustomed, viz., at marriages, burials, and upon solemn feast-days, as Christmas-day, Easter-day, Whitsun-day, Allhallows-day, and at the times of receiving the holy communion, &c.
- “4. That all abbey-lands now exempted may pay tithes in kind to the parsons and vicars in whose parishes they lie.
- “5. That all lands altered within these sixty years past from tillage may pay tithes according to the value they formerly paid.
- “6. That all parks and warrens made within these sixty years last past may pay tithes either according to their former value when they were in tillage, or according to some reasonable rate by the acre.
- “7. That parks disparked within these sixty years may pay tithes in kind.
- “8. That the occupiers of lands of such parishes that have been within these sixty years past utterly depopulated, and do now pay no tithes at all, may hereafter pay all their tithes in kind to the next poor parsons adjoining.
- “9. That small benefices near adjoining may be so united, as they may be holden by one man.
- “10. That parsons and vicars may have right and freedom of common with the rest of the parishioners.
- “11. That the ancient ecclesiastical constitution in England, for paying of tithe-lambs and wool, may be renewed and established.—Lindewood de Decimis. § Quoniam.
- “12. That all pensions may hereafter be discharged, which are not paid to ecclesiastical persons.
- “13. That ministers in cities and towns incorporate, and other great towns, may have their tithes according to the rents of houses after the rate of London.

*Archbishop
Bancroft's
scheme for
furnishing a
better main-
tenance for
the clergy.*
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“14. That the landlords of such houses in every city incorporate, and great towns, may be chargeable with such payments to their ministers, and not their under-tenants.

“15. That parsons and vicars may have tithe-wood duly paid unto them according to the constitution of John Stratford, Archbishop of Canterbury.—Lindewood de Verborum Significatione.

“16. That an order may be taken for the settling of glebelands, which are by strong hand detained from divers parsons and vicars, by some commissions for survey upon oaths; and that it may be provided, that no patron, or lord of any manor, in any parish, may hereafter have the glebe in farm.

“17. That in chapels of ease the cure may be maintained hereafter by them that have ease thereby, without diminishing the parson's or vicar's tithes.

“18. That it may be lawful hereafter for any well-disposed man or woman to give, purchase, or lay tenements, rents, lands, or annuities in fee, unto the glebe of the Church, notwithstanding the statute of Mortmain.

“19. That all lay-patrons, when they present any minister to an ecclesiastical liviog, may take the like oath against simony that ministers do; or else that they may forfeit their patronage for ever to the king, when it shall be proved that they have committed simony upon any such presentation.

“20. That it may be held simony to sell advowsons as well as presentations; or that all advowsons to be made hereafter may be utterly void.

“21. That the tithes of oade, hops, roots, coals, and other minerals, and likewise of lime-kilns and brick-kilns, may be truly paid to the parson or vicar that hath cure of souls.

“22. That it may be lawful for spiritual persons to purchase and take leases for lives, or years, as other of his majesty's subjects may do, notwithstanding any statutes made to the contrary.

“23. That all lands that have been either won from the sea, or otherwise drained and recovered from surrounding, may be laid to some parishes adjoining; and that the owners or occupiers, and all others that have any benefit of such lands, may pay their tithes in kind to the parsons or vicars of those parishes whereunto the said lands are laid.

“24. That a subsidy may be granted for the redeeming of impropriations, and that the same redeemed may be of the bishop’s patronage in whose diocese they lie. JAMES I.

“25. That if the last motion may not now be entertained, then there may be a free passage given to the law yet in force (as it is supposed), that all impropriations may be declared void, and become presentatives, which have no endowment for vicars.

“26. That where there are vicarages endowed which do belong to impropriations, but yet are no competent living for a sufficient minister, bishops may have authority in their diocese where such vicarages are, to allot some farther portions for their better maintenance out of the said impropriations.

“27. That some order may be set down for the repairing of chancels of churches impropriate, which are every where in wonderful decay.

“28. That mortuaries may be restored.”

Whether Bancroft’s project ended here or not, I am uncertain; but the subject is continued upon a break with these initial letters, Paper-office.
Ibid.

“The L. S.”

“A second means for raising sufficient maintenance, may be done by severing unto divers churches such vicarages or parsonages as are united into one; as, for example, at Bampton, in the county of Oxford, there are three perpetual vicars canonically instituted and inducted to serve the cure in that parochial church, every one of the said vicars having maintenance sufficient according to one of the values aforesaid. At Watsdon, in the county of Buckingham, there be two, if not three parsons canonically instituted and inducted to serve the cure of that one parish church, every of them also having sufficient maintenance as aforesaid. At —, in the county of Devon, as I have been credibly informed, is the like; and it may be that there are in many other places the like. *Farther
ways and
means sug-
gested for
this purpose.*

“Now, then, it seemeth there be eight or nine ministers, every of them enjoying competency of maintenance, appointed to serve these three cures, that six of those livings, as they

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shall happen to fall void, might serve six other parochial churches near adjoining and wanting maintenance.

“That out of the glebe or demesne lands belonging to any church appropriated, all manner of tithes be paid to the vicar of the same church appropriated, by the owner, proprietary, or farmer of the same appropriation. That the tenth of all corn, hay, wood, wool, lamb, &c., arising within the places titheable of any church appropriated, be likewise paid in their proper kind to the vicar of the same church appropriated.

“That it may be lawful for any lord of a manor, leaving sufficient commons belonging to the said manor (the vicarage of the parish church wherein the same manor lieth having no glebe-land, or not having glebe-land to the number of twenty acres), to endow the same vicarage or parsonage with twenty acres of waste, or with so many acres as shall make up the acres already belonging to the vicarage to the number of twenty acres, and no more.

“That all novalia arising within any parish wherein there is a perpetual vicar endowed, whether the same novalia be of hops, oade, iron, mine, coals, turf, peat, &c., shall from thenceforth only be payable to the vicars of the same parochial church, and not to any owner, farmer, or proprietor of the impropriation.

“Whereas, unto the parsons whose churches are not appropriated, and unto vicars whose churches are appropriated, for gardens, heretofore hath been paid only a penny, which penny at the first was also paid only in respect of flowers, pot-herbs, and such like small trifles; that from henceforth out of all gardens and garden-plots be paid unto the said parsons and vicars, not only the said penny, but also the tenth of all hops, beans, peas, wheat, rye, barley, roots, roses, apples, cherries, strawberries, artichokes, and suchlike.

“Where in some place certain money, called mead-silver, by custom hath been paid in lieu of tithe-hay, that in those places the tenth be paid from henceforth in specie: and if the church whereunto the mead-silver heretofore hath been paid be a church appropriated, that then the tithe-hay be paid unto the vicar only; and that the vicar pay to the improprietary such mead-silver as usually hath been received.

“ Whereas it is pretended in many places, that by custom JAMES I.
there is not any tithe-milk to be paid by him who hath not seven calves at the least, by which means some that may keep seven or eight kine will never keep above six; that from henceforth this, as an unreasonable custom, be annulled; and that the tithe-milk of all kine be paid in specie, as by the ecclesiastical law is due, and that always either to the parson of the church not appropriated, or to the vicar of the said church appropriated.

“ Whereas much fraud is daily used among the meaner sort of people about the payment of their tithes, wool, lambs, calves, white of kine, &c., by reason of taking grounds, and keeping cattle in divers parishes, and by removing them out of one parish into another, at or immediately before the sale and shearing their sheep, whereupon much trouble and wrangling for small matter oftentimes ensueth; I leave it to be considered, whether it were not meet that their tithe of wool, lamb, calf, and white of kine, should entirely be paid to the minister of that parochial church wherein the same sheep and cattle for the greatest part of the year be feeding and couchant. And if they happen to be feeding and couchant within two parishes alike, that then the said tithes to be paid yearly to that minister only within whose parish the owner shall inhabit, provided that the minister to whom such entire tithes shall be paid, or to whom the said ought to be paid, be answerable to the minister of the other church, for such part of those tithes, as for the feeding and couching of the same sheep and cattle within his parish proportionably shall be due.

“ Whereas, the king's most excellent majesty is possessed of divers parks, out of which tithes and other ecclesiastical commodities are due, and out of which also tithes in time past have been paid; that his highness, in regard of some maintenance to be allowed out of his imperial grounds, unto the ministers within whose parishes the same parks are situate, would graciously be pleased to take order that the same ministers from henceforth might enjoy a competent allowance of some pasturage within the said parks, for the keeping of a certain number of kine, or other cattle, towards the provision of their houses, and keeping hospitality.

“ And whereas divers vicarages valued in the king's books at ten, sixteen, and twenty pounds, or above, have no other

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kind of yearly maintenance but these values paid unto them only in money ; out of which also, according to their rates, the vicars pay first-fruits, tenths, and subsidies, by means whereof that which is left becometh very small ; that his majesty would graciously be pleased either to remit the whole of the first-fruits, &c., due out of these vicarages, or at leastwise abate somewhat of their usual payments.

“That it may be lawful for any learned, able preaching minister, placed in any parochial church, to take to farm the impropriation of the same church, or any part thereof, the same farm no longer to continue than only during the time of his residency and ministry in the same church.

“That it may not be lawful for any minister instituted to any benefice with cure, to demise the mansion-house, glebe-land, or any part of the tithes thereof directly or indirectly, mediately or immediately, to the patron, or to his use.

“That no lease hereafter to be made by any incumbent of any benefice with cure, shall be confirmed by the bishop and the patron ; and that all leases heretofore made of any benefice with cure, and confirmed by the bishop and patron for more years than one-and-twenty, may utterly be void, as being at the first made upon corrupt consideration.

“That it may be lawful for any person holding any impropriation or tithes of the king *in capite*, or knights'-service, to give the same impropriation and tithes, or any part thereof, to the use of a learned and able preaching minister, to be placed within the same parish.”

700.

By this scheme the archbishop's care for the interest of religion, and his capacity in suggesting measures, are sufficiently discovered. However, the attempt failed of success ; for the parliament, it seems, was not disposed for going into the proposal.

During this session, king Henry IV., of France, was stabbed in his coach by Ravilliac. This execrable murder gave another alarm to the English ; for now the king published a proclamation strictly commanding all Jesuits and Roman Catholic priests to depart this kingdom ; and all recusants of the laity were forbidden coming within ten miles of the court. There was likewise a statute enacted for all persons of office, character, or public consideration, to take the oath of allegiance.

*An act
obliging the
most consi-
derable part
of the sub-
jects to
take the oath
of allegiance.*
7 James I.
cap. 6.

The convocation met some few days before the parliament ; JAMES I.
 but all the business they did was the granting a subsidy. Feb. 10,
 Upon the king's writ the archbishop prorogued the two houses 1609-10.
 to the 17th of October following.

Extract of
Convoc.

To say something of Scotland : the last year, at a parliament A parliament
held at
Edinburgh
restores the
temporal
jurisdiction
of the
Church.
June 24,
A. D. 1609.
 held at Edinburgh, the acts passed in the preceding conven-
 tion were confirmed ; particularly the jurisdiction of commis-
 saries were restored to the Church. The preamble sets forth,
 " that in all well-governed republics the ecclesiastical and civil
 jurisdictions are separate and distinct ; and that the temporal
 jurisdiction of the Kirk flows only from his majesty ; " which is
 an implied concession that the spiritual does not. By the act,
 " the cognizance of several causes anciently belonging to the
 bishops' courts, but lately settled in the college of justice, are
 now returned to the ordinaries ; and the lords of the session, by
 way of compensation, are allowed 10,000*l.* Scotch, to be yearly
 paid out of the customs of that kingdom."

James 6.
parl. 20.
cap. 6 & 11.
Id. cap. 2.

By another statute, " those who are already, or shall here-
 after be excommunicated for not conforming to the established
 religion, incur the forfeiture of their estates, which are to be
 seized for his majesty's use."

By this parliament the habits of the judges and magistracy, Id. cap. 3.
 of churchmen and lawyers, was referred to the king's appoint-
 ment.

To proceed : his majesty wrote earnestly to the Scotch
 bishops to extend their administration and manage to the
 length of their character ; but these prelates were apprehen-
 sive the venturing upon such a change without the consent of
 the ministers might be ill received. To make the affair there-
 fore more practicable, a general assembly was held at Glasgow,
 the earl of Dunbar and the archbishop of St. Andrew's were
 the king's commissioners. The earl opened the meeting by
 acquainting them that his majesty's intention was to settle the
 Church in a commendable condition of discipline ; and to give
 more particular directions and dispose them to a thorough
 compliance, his majesty's letter was read. It is superscribed
 thus :—

July 8,
A. D. 1610.

The bishops'
authority
recovered in
a great mea-
sure by the
assembly at
Glasgow.

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*The king's
letter to the
assembly.*

“To the right reverend Fathers in God, our right trusty and well-beloved cousins and counsellors, and others our trusty and well-beloved the prelates, noblemen, and others our loving subjects, as well ministry as laity, presently met and convened in this assembly.”

The letter sets forth, “that nothing has so much disserved the glory of God and the repose of the Church as the want of order and government, without which no society, either ecclesiastical or civil, can possibly subsist. And notwithstanding the singularity, the obstinacy or ignorance of some people, kept up a sort of headless government for a while; yet the inconvenience and impotence of this administration was quickly discovered. The king, therefore, to put a stop to this evil, which had otherwise proved an incurable cancer, had assisted in person at several assemblies, had provided a maintenance for ecclesiastics, and recovered their jurisdiction from the encroachments of the laity. These things considered, his majesty hoped that the Church, being sensible of their errors in suffering the late anarchy in their body, would have made their application to him for establishing the ecclesiastical government upon the primitive model; that a proper remedy might be found out to close the divisions, and put an end to the present distractions. But whether this negligence and misconduct were chargeable upon the unwillingness or unworthiness of the Fathers of the Church, or that the factious singularity of those of lower condition was the occasion of continuing this confusion, his majesty is uncertain. However, conceiving himself bound not to suffer such dilatory proceedings in so important a matter, he has thought fit to convene the present assembly; not so much upon the score of necessity, as if the consent of the members was absolutely requisite to the things proposed, but to shew his majesty’s zeal for the glory of God, and the inexcusableness of those who refuse to concur with him for the interest of the Church. However, hoping their present management will give him a better opinion of them for the future, he refers them to the earl of Dunbar and the archbishop of St. Andrew’s, who have instructions to acquaint them farther with his majesty’s pleasure.” The letter is dated from Thetford, May the 8th, 1610.

MS. Acts of
the Assem-
bly, penes
Archibald
Campbell.
Armig.

After the reading his majesty's letter, the assembly appointed a committee to draw up such heads of discipline as they thought necessary for the government of the Church, and giving the king satisfaction. JAMES I.

After some days spent in forming a draught and debating the matter, the following articles were all ratified and approved by the whole assembly :—

“ 1. It was declared that the late assembly at Aberdeen was null, principally because it had not his majesty's allowance ; and that the appointing assemblies is part of the prerogative royal : it is likewise agreed a general assembly shall be held once a year. *The Articles settled.*

“ 2. It is declared expedient that the bishops should be moderators in every diocesan synod ; that these synods should be held twice a year ; and that where the dioceses are large, there may be two or three synods convened at a proper distance for the ease of the ministry.

“ 3. That no sentence of excommunication or absolution be pronounced against or in favour of any person, without the knowledge and approbation of the bishop of the diocese, who must be answerable to his majesty for the regularity of his proceedings. And when the process is fairly and legally finished, sentence is to be pronounced at the bishop's direction, by the minister of the parish where the offender dwells. And in case the bishop shall delay pronouncing the sentence against any person that deserves it, and where the process has been carried on to a just length ; in case the bishop shall be convicted of such misbehaviour by a general assembly, his majesty shall be acquainted with what is passed in order to furnish the see with another prelate. 701.

“ 4. That for the future all presentations shall be directed to the bishop of the diocese, and that a testimonial of the life and abilities of the person presented should be sent to the bishop by the neighbouring ministry : and the bishop finding him qualified upon his own examination, is to take in the assistance of some of the ministers of the bounds where the person is to officiate : and then, as the manuscript speaks, to perfect the whole act of ordination.

“ 5. That in order to the depriving of ministers, the bishop, with the assistance of some ministers of the neighbourhood

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where the delinquent officiates, shall proceed to try the cause, and pronounce sentence.

“ 6. That every minister at his admission, shall swear obedience to his majesty and his ordinary, pursuant to the form set down in the conference held in the year of our Lord 1571, in the following tenor :

*The oath
taken by
ministers at
their admis-
sion to a
benefice.*

“ ‘ I, A. B., now nominated and admitted to the Church of D., utterly testify and declare in my conscience, that the right excellent, right high and mighty prince James VI., by the grace of God, king of Scots, is the only lawful supreme governor of this realm, as well in things temporal, as in conservation and purgation of religion: and that no foreign prince, prelate, state or potentate, has or ought to have any jurisdiction, power, superiority, pre-eminence, or authority, ecclesiastical or spiritual, within this realm. And therefore I utterly renounce and forsake all foreign jurisdictions, powers, superiorities and authorities, and promise that from this time forth I shall and will bear faith and true allegiance to his highness, his heirs and lawful successors: and to my power shall assist and defend all jurisdictions, privileges, pre-eminences and authorities, granted and belonging to his highness, his heirs and lawful successors, or united and annexed to his royal crown. And farther, I acknowledge and confess to have and hold the same Church and possessions of the same (under God only) of his majesty and crown royal of this realm. And for the said possessions I do homage presently unto his highness in your presence; and to his majesty, his heirs, and lawful successors shall be faithful and true. So help me God.’ ”

Ibid.

“ 7. The diocesan visitations are to be made by the bishop in person, unless the bounds are too large for him to go over: in which case he is to make choice of some worthy minister of the diocese to visit for him. And whatever minister shall, without lawful excuse, refuse to appear at the visitation, or diocesan assembly, shall be suspended from his office and benefice, and unless amendment follows, deprived.

“ 8. That the exercise of doctrine be continued weekly among the ministers at the time of their customary meetings; and that the bishop either moderates himself, or appoints some person to represent him.

“9. That the bishops shall be subject to the censure of the general assembly in all things relating to private and public conduct; or, as the assembly speaks, touching life, conversation, office and benefice. And the bishops being convicted of misbehaviour by the assembly, are, with his majesty’s advice and consent, to be deprived. JAMES I.

“10. That no bishop be elected under forty years old, and who has not for some years been a teaching minister.

“Lastly, It was unanimously decreed, that no minister, either in pulpit, or public exercise, should argue against, or disobey the acts of this present assembly, under the penalty of deprivation; and particularly, that the question of equality or inequality in the Church should not be discoursed in the pulpit under the same forfeiture.”

*Ibid. et
Spotswood.
Refutatio
Libell. &c.
et Church
Hist. p. 512.*

The resolutions of this synod were unanimous almost to an universality, there being but three dissenting members amongst about one hundred and forty.

Soon after the breaking up of the assembly, the archbishop of Glasgow was sent for to attend the king, and ordered to bring two other Churchmen of his own choosing along with him. He pitched upon the bishops of Breichen and Galloway, and came to court about the middle of September.

*Spotswood.
Refutat.
Libell. de
Regim.
Eccles.
Scotic.
p. 83.*

The king, opening the business for which they were ordered hither, acquainted them, “that at a great expence he had recovered the bishoprics out of foreign hands, and bestowed them upon such as he hoped would acquit themselves well in that station: but since he could not make them bishops, neither could they assume that honour to themselves; and that in Scotland there was not enough of that order to manage a canonical consecration, for these reasons he had called them into England, that being consecrated themselves, they might propagate the character, and ordain at home. That by this expedient the adversaries might be effectually silenced, who gave out, that he took upon him to make bishops, and bestow spiritual offices: but this report was altogether aspersion, for that he had not done any thing of this kind, nor would he ever presume to go thus far: and that he acknowledged such an authority belonged to none but our blessed Saviour, and those commissioned by him.”

*The consecration of
three Scotch
bishops at
London.*

The archbishop, speaking for the rest, professed their willing-

*Spotswood’s
Ch. Hist.
p. 514.*

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ness to obey his majesty, only they were apprehensive of being misunderstood by their brethren at home; and that in regard of the ancient encroachments of the English hierarchy upon the Scots, their complying with this expedient might be interpreted a kind of subjection to the Church of England. The king replied, "He had guarded sufficiently against that inconvenience; and that to prevent cavil, and misconstruction, he had ordered, that neither the archbishop of Canterbury or York, who were the only pretenders, should have any share in the solemnity, but that the consecration should be performed by the bishops of London, Ely, and Bath and Wells." The proposing this temper set the Scotch bishops at ease, who returning his majesty thanks for his care of their Church, declared themselves willing to obey his pleasure.

702.

Things being thus far adjusted, his majesty issued a commission under the great seal of England, to the bishops of London, Ely, Bath and Wells, and Rochester, requiring them to proceed to the consecration of the three bishops above-mentioned, pursuant to the form of the English ordinal. This commission was accordingly executed in the chapel of London-house upon the 21st of October.

But between the commission and the solemnity a difficulty was offered by Andrews, bishop of Ely, with reference to the consecration of the Scotch bishops. This prelate affirmed, "They ought first to be made priests, upon the score of their having not been ordained by a bishop." Archbishop Bancroft, as Spotswood reports, maintained, "there was no necessity of proceeding in this manner: that where bishops could not be had, orders given by presbyters must be reckoned lawful: that unless this was granted, the calling and character of the ministry in most of the reformed Churches might be questioned."

But with due regard to Bancroft's memory, his argument seems to stand upon a slender bottom: for, without doubt, neither Luther, nor Calvin, Beza, or Zuinglius, are the standards of discipline and government: it is the primitive plan we ought to proceed by in these matters. And therefore, if any modern Christians happen to refine upon Catholic measures, and desert from the government of the Church settled for fifteen hundred years together: if any Christians, I say, pretend to reform in this unfortunate manner, though they may call for our pity and our prayers, they ought never to

command our imitation. And therefore, with submission, it seems most advisable to leave them to farther recollection, and not make ourselves a party to their singularities by straining courtesy, and interposing in their defence.

JAMES I.

But after all, as the learned Heylin represents the matter, Bancroft went upon a much more defensible principle: he argued there was no necessity the Scotch bishops should pass through the intermediate orders of deacon and priest; for that the episcopal character might be fully conveyed at a single consecration: and for this he cited some considerable precedents in the ancient Church.

The bishops sometimes consecrated in the ancient Church without passing through the inferior orders.
Heylin, Hist. Pres. p. 387.

It is true, the general custom of the Church was to proceed by gradual advances, and not to mount the highest station at a step. The reason was, that some proper intervals might be allowed by way of probation: that the conduct and abilities of the person might be recommended in a lower office before the trust was enlarged, and the promotion raised. However, in case of necessity, or extraordinary merit, the customary methods were dispensed with, and the episcopal character conveyed at once, without going through the inferior order. Thus St. Ambrose and Nectarius, two lay-men, were consecrated bishops; the first of Milan, and the other of Constantinople. Thus Eucherius, a monk, which is no more than a lay-man, was ordained bishop of Lyons, without passing through the preparatory stages of subdeacon, deacon, or priest. Thus, when by the unexpected concurrence of the people, or by some other unusual accident, Providence seemed to point at a particular person, the Apostles' canons gave leave to relax, and go off from the common rule. The distinctions or additions of these three Scotch bishops, before consecration, stand thus in the register: Mr. John Spotswood (minister and concionator, as the king's mandate speaks) was consecrated archbishop of Glasgow; Mr. Gawen Hamilton, minister and concionator, was consecrated bishop of Galloway; and Mr. Andrew Lamb, minister and concionator, was consecrated bishop of Brichen. They were consecrated by George, bishop of London; Lancelot, bishop of Ely; Richard, bishop of Rochester; and Henry, bishop of Worcester.

Concil. Sardicen. can. 10.
Concil. Constantinopol. sub Photio, can. 17. vid. Beveridg. Pandec. Canon. tom. 1. p. 358, 359. & 496.
Socrat. lib. 4. cap. 30.
Sozom. lib. 6. cap. 24.
Theod. Hist. Eccles. lib. 4. cap. 6 et 7.
Socrat. lib. 5. cap. 8.
Sozom. lib. 7. cap. 8.
Baron. Annal. ad An. 441.
Can. Apost. can. 80.

About this time the king set up a High Commission in Scotland for the managing of ecclesiastical causes. To give this

Abbot's Regist. fol. 414.

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*The king's
directions to
the High
Commission
and clergy
in Scotland.*

court and the clergy measures, the king dispatched the instructions following :

1. That no application should be made to the High Commission, or any thing brought before that court, unless in cases either of appeal, or complaint of some bishop ; that the grievance could not be redressed by the diocesan, or that the cause had suffered very much in the ordinary's court by the remissness of the bishop.

2. That every archbishop and bishop should reside at his cathedral, and repair it as far as he was able.

3. That all archbishops and bishops should be careful in managing their visitation, and every third year, at least, inspect the conduct of the ministers and readers.

4. That every archbishop should visit his province every seven years at least.

5. Whereas in several dioceses some parishes belonging to other bishops lie intermixed, care should be taken to exchange the Churches, that the whole diocese, if the expedient is practicable, may lie together : and in regard some dioceses are too large, and some too little, a method should be projected to bring them to a better proportion.

6. That the meeting of ministers for the exercise of doctrine should not exceed the number of twelve, at most : that moderators should be assigned them by their respective bishops : that these moderators should be empowered to bring all scandalous persons within the precinct before them, and to censure offenders pursuant to the canons of the Church. However, they are not to proceed to excommunication, or suspension, without the direction of the ordinary. And in case these ministers go beyond the liberty allowed them, either in teaching or behaviour, that then the bishops shall discharge the meeting, and censure the parties.

7. Considering lay-elders have neither any warrant in the Scripture, nor precedent in the primitive Church, and yet notwithstanding it is convenient for the minister to have some assistants for repairing the church, providing bread and wine for the holy eucharist, and collecting contributions for the poor, the minister is authorised to make choice of some of the discreet of his parishioners for this purpose, and certify their names to the ordinary for his approbation.

8. That the parish ministers may be empowered to convene before themselves, and their assistants above-mentioned, all notorious offenders; and put them under penance, pursuant to the canons of the Church: and, in case of contumacy and incorrigibleness, declare their names to the bishop for farther correction. JAMES I.

9. That no minister may be admitted to any cure without a preceding examination, and imposition of hands by the bishop, and two or three ministers at the ordination: and for settling an uniformity in the admission of ministers, a form is ordered to be printed, and practised without deviation, by every bishop.

10. That for the future the election of bishops shall be governed by the rules set down at the conference held in the year 1571. And during the vacancy of the bishopric, the dean shall be “*vicarius in omnibus ad episcopatum pertinentibus*,” and have the custody of the temporalities till the see is filled. 703.

11. That the dean shall summon a chapter at least once a year, and take care that nothing may pass unless they are “*capitulariter congregati*.” And that every thing done by the archbishop or bishop, with reference to the revenues of the see, may be entered upon the register, and kept in the chapter-house.

12. That when a general assembly shall be thought necessary, application may be made to his majesty for leave to meet; and that the assembly shall consist of bishops, deans, archdeacons, and such others of the ministry as shall be elected by their own body.

13. And because young people in Scotland, having gone through a course of philosophy, frequently press into the pulpit before they have got either orders or discretion; to prevent this abuse, strict care must be taken for putting a restraint upon such persons; and that none unordained may be allowed to preach ordinarily, or in public.

These directions, delivered to the bishops and some of the principal clergy convened at Edinburgh, were generally approved. The High Commission however being likewise published at the same time, disgusted those in the administration. It seems they conceived their jurisdiction lessened, and were displeased with the Church's recovering her authority.

Spotswood's
Ch. Hist.
p. 514.

Ibid.

BAN-
CROFT,
Abp. Cant.
*The death of
Babbington.*

This year Gervase Babbington, bishop of Worcester, departed this life. He was descended from an ancient and considerable family in Nottinghamshire. He was bred in Trinity-college in Cambridge, first promoted to the see of Landaff, thence translated to Exeter, and from thence to Worcester. He was reckoned an eminent preacher, and particularly happy in touching the passions. He wrote a comment upon the five books of Moses, upon the Lord's Prayer, the Creed, and the Ten Commandments.

The next thing I shall mention is the consecrating of St. Olave's, Silver-street, in London, by Abbot, bishop of London.

See Records,
mm. 103.
Nov. 2.
*Archbishop
Bancroft's
death.*

The reader may see the instrument in the Records.

I shall conclude the year with the death of archbishop Bancroft. The character of this prelate may be collected from the foregoing history; and therefore I shall take leave of his memory in a word or two. This prelate was extracted from a gentleman's family in Lancashire, and bred in Cambridge. He was a learned controversialist, and an excellent preacher; a great statesman; a vigilant governor; and filled his see to great commendation.

The see of Canterbury being vacant, several of the bishops in town met to consult about Bancroft's successor. And here the great learning and piety of Andrews, bishop of Ely, gave him the preference to that station. The bishops thus agreeing in his merit, recommended him to the king; and believing his majesty disposed to a concurrence, and that there was no occasion for soliciting any further, they either retired to the country, or gave over their application. And thus, by desisting too soon, the design miscarried; for the earl of Dunbar, taking advantage of this oversight, put in strongly for Abbot, bishop of London, and got him translated to Canterbury. The king's pitching upon Abbot, instead of Andrews, was no advantage to the Church. But of this the reader will see more in the course of the history.

The next year the translation of the Bible was printed. In this work the originals were not only carefully consulted, but the Spanish, Italian, French, and Dutch versions inspected and compared.

*The king's
declaration
against
Vorstius.*

About this time the king solicited the States of the United Provinces against entertaining Vorstius in their dominions. His majesty happened to read two of this divine's books in his

progress. One was entitled, “Tractatus Theologicus de Deo,” JAMES I.
 dedicated to the landgrave of Hesse; and the other, “Exegesis
 Apologetica,” dedicated to the States. These tracts were
 stuffed with very dangerous assertions, some of which, remarked
 by the king, are as follow:—

“It is no mispersuasion to affirm God has a body, provided *Some of this
divine's hetero-
doxies.*
 we take the notion of a body in a laxer signification.

“We do not find it anywhere written, that the substance of
 the Deity is absolutely immense, or without limits. On the
 other hand, there are many places in Scripture which seem to
 imply a contrary meaning. No magnitude is actually infinite;
 and, by consequence, neither can an attribute of this kind
 belong to God.

“If all events were settled from eternity, there would be no
 occasion for continual providence.

“God has more causes of certainty in the view of things
 present and past, than in events which are future and contin-
 gent.

“All things precisely decreed by the Deity are afterwards
 fully comprehended at a single act of knowledge. But this
 cannot be affirmed of all other things separately considered;
 because they exist not only successively in time, but contin-
 gently, being oftentimes suspended upon conditions.”

Farther, in his apology, he asserts, “the Father has a pecu-
 liar, and, as it were, a certain limited and restrained being.

“From whence it is not difficult to infer, that there are cer-
 tain internal accidents in God.”

And elsewhere in this book he disagrees scandalously from
 the received doctrine of the Divine ubiquity; neither does he
 make any scruple to attribute magnitude and quantity to God
 Almighty.

Upon his majesty's perusal of these books he wrote to his
 ambassador, sir Ralph Winwood, to advertise the States of the
 danger from these heterodoxies.

Their lordships returned the ambassador a cold answer, and A.D. 1611.
 enlarged in the commendations of Vorstius. They acquainted
 him that “the curators of the university of Leyden had,
 according to ancient custom, made a diligent inquiry for some
 person to fill the divinity chair; that after a long consultation *The States'
answer to
the king's
admonition.*

K. James's
 Works,
 p. 359.

ABBOT,
Abp. Cant.

704.

Oct. 1,
1611.

Id. Declara-
tion against
Vorstius,
p. 352.

they were informed, that at Steinford, in the territories of the counts of Tecklenbourg and Bentem, there was one Dr. Conradus Vorstius, a minister, who had resided there with great reputation about fifteen years; that, upon the score of his parts and learning, he was much esteemed by prince Maurice, landgrave of Hesse, who designed to make him divinity-professor in some of his universities; that this Vorstius had signalized himself in controversy against the famous cardinal Bellarmine; that being thus raised in his character, he was invited into Holland by the curators abovementioned; that in August last his election was, notwithstanding, contested by some over-busy people, who had nothing to do in that affair: and being charged with unsound doctrine, he went to the Hague for a public justification, where nobody appeared against him; that afterwards the charge of false doctrine being revived upon him, he was brought before a full assembly of the States of Holland and West Friezland. The cause was managed against him by six divines, the curators and six other ministers being present. After the matter had been fully argued on both sides, the States were of opinion Vorstius had made a satisfactory defence, and that they could see no reason for his being refused the chair at Leyden. Afterwards new articles of impeachment being published against Vorstius, the States resolved to allow him the equity of another hearing. They add, it was never their intention to permit any other than the reformed religion in Leyden; and that if Vorstius held any thing repugnant to the holy Scriptures, he should not be admitted professor; that if his majesty of Great Britain was fully informed of all the circumstances, they believed he would entertain a favourable opinion of them; and that they should proceed in the whole course of this affair with all due regard to his majesty's admonition."

Before the king received this answer, some of Vorstius's books were brought over, and dispersed here. About the same time, Bertius, a disciple of Arminius, lately dead, had the impudence, as the king speaks, to send a letter to the archbishop of Canterbury, with a book "de Apostasia Sanctorum." The title of this book was not only shocking to his majesty, but he was highly displeased with the confidence of the man, for affirming in his letter, that the contents of the book were agreeable to the doctrine of the Church of England.

Upon this the king ordered Vorstius's books to be publicly JAMES I.
 burnt in St. Paul's Church-yard, and both the universities;
 and then renewed his request to the States for the banishment
 of this divine. His second letter was delivered by the ambas-
 sador Winwood to the States at the Hague. It is written in
 a strain of zeal and expostulation, and describes Vorstius's
 heresy in tragical language. He complains of the States
 "for giving Vorstius leave to print his apology, and address it
 to their lordships; that the heterodoxies in it are frightfully
 rank and scandalous; and that he does not charge these
 imputations upon report, but his own knowledge." And here
 it may be observed, that his majesty, both in this and his first
 letter, falls hard upon the memory of Arminius; calls him
 "the enemy of God, taxes him with downright heresy, and
 puts the States in mind, that the disputes raised by him had
 embroiled their country, and broke them into factions. Far-
 ther: that unless they give a speedy check to these beginnings
 of heresy and schism, they can expect no better issue than the
 curse of God; than infamy among the Reformed Churches;
 and a lasting distraction at home¹."

*The king's
second letter
to the States.*

Notwithstanding this warm expostulation, Vorstius and his
 family were encouraged to come into the States' territories,
 received at Leyden with protection and respect, and treated in
 the quality of a public professor. The English ambassador
 protests against this caressing Vorstius; tells the States
 "they had suffered in their reputation, and tarnished the
 honour of the Reformation by these proceedings; that the
 alliance between the king of Great Britain and their lordships
 was founded on the maintenance of the reformed religion;
 that this public correspondence was injured by countenancing
 so notorious a heretic; and that it was surprising their
 lordships should prefer the friendship of Vorstius to that of
 his master."

*The English
ambassador
protests
against
their pro-
ceedings.*

To this protestation the States, after some deliberation,
 returned this answer, that, "notwithstanding his majesty of
 Great Britain had not yet received the satisfaction he might
 expect in the business of Vorstius, they did not question but
 that the next assembly of the States of Holland would content
 his majesty."

¹ While the Arminians strove to correct the Manichean errors of the Calvinists, they
 fell into hallucinations of the opposite extreme, and became tainted with many Pelagian
 heresies, as learned theologians have proved.

ABBOT,
Abp. Cant.

*The king's
reasons for
appearing
in this mat-
ter.*

And that people might not be at a loss about the king's reasons in importuning the States, and engaging so far in this matter, his majesty assigns the motives in his declaration.

The first was, his zeal for God's glory. Upon this head he declares, that, had Vorstius's mispersuasions been grounded upon questions of no greater importance than those between us and the papists, his majesty, though sorry for such deviations from primitive belief, should not have appeared with so much earnestness; but Vorstius's heresies are of a much greater bulk, and of the blackest complexion. He has insulted the attributes of God; attacked the Creed; overturned, as much as in him lies, the basis of religion; and struck at the vitals of Christianity.

His last book, entitled "A Christian and Modest Answer," is, at the best, sophistical and evasive; and, in many places, the heterodoxy is boldly expressed, and lies a-top on the letter. For the king does not charge him upon inference and remote reasoning, but open sense, and direct assertion. To give some of those many instances extracted by his majesty.

*Vorstius's
apology
short and
evasive.*

To this question,—“Has God a body?” Vorstius's answer is, “If we speak properly, the Deity must be said to be incorporeal; however, in a looser way of expression, it is no absurdity to attribute a body to God.”

“Is God equally immutable in his will as he is in his essence?” He answers in the negative.

“Is God subject to accidents?” His answer is, “Not to any real ones; however, God by his voluntary motion receives accidents, largely taken, into himself.”

“Does God conjecture upon future events by ratiocination or discourse?” He answers, “God does sometimes in some manner proceed by way of principle and inference, and, as it were, guesses upon things uncertain. But this must be metaphorically understood, and without any notion of imperfection. And, in short, the manner of his conjectures is different from human reasoning, and wholly divine.”

Id. p. 373,
&c.

And whereas he had before categorically asserted that the arguments used by the Fathers, for the eternal generation of our Saviour, are inconclusive and trifling, he now endeavours to screen the slander, and take shelter in a qualified expres-

sion, and pretends to defend himself by saying that some of the proofs fall short of satisfaction. JAMES I.

The king's second reason for giving the States this warning against Vorstius, was out of the affection his majesty had for his neighbours and allies, and the common charity one Christian owes another. 705.

And thirdly, he was apprehensive these heterodoxies might cross the seas, and reach his majesty's dominions: that the fame of the university of Leyden drew a great many of the young people of his subjects thither: that misbelief was apt to catch upon unwary minds, and spread from one country to another: that so fatal a contagion ought to be prevented with all the precaution imaginable: that heresy was more dangerous than the plague: and that people had much better be poisoned in their veins than in their principles. In the close, his majesty solemnly declares, "that the motives which carried him thus far, were only a regard to the honour of God, the interest of truth, and the happiness of mankind; and that he had not the least intention to dictate to the States, or set rules to their government." Id. p. 330.

About this time, archbishop Abbot being informed that some deprived ministers in the diocese of Peterborough exercised their function, wrote to the bishop of Peterborough to restrain this liberty. It is true the archbishop was commanded to advertise this diocesan of his remissness; however, it is an argument that Abbot was not so embarrassed with scruples as to refuse the following such strict directions for conformity, though it is possible he would not have led in them.

I shall now give the reader some account of the state of religion in the isles of Jersey and Guernsey. And to give a more entire view of the matter, I shall dispense a little with the regards of time. To begin: the reformation of religion in the reign of king Edward VI. was settled in this island; the English Liturgy being translated into French and sent thither. But when queen Mary came to the crown, the communion of the Church of Rome recovered. This way of worship being discharged again in the beginning of queen Elizabeth's reign, these islands fell into the other extreme: great numbers of the French Protestants, now harassed in their own country, retired hither for shelter. These French refugees, forming their churches by the model of Geneva, brought a great many of the

The condition of religion in the islands of Jersey and Guernsey since the Reformation.

ABBOT,
Abp. Cant.

inhabitants of Jersey to a dislike of the English Reformation. These singularities were too much encouraged by the governors, who either out of mistake, popularity, or mercenary views, countenanced that party. These Hugonots possessed themselves of the parish church of St. Helier, where the Sieur de la Ripaudiere preached, and administered the sacraments in the manner of Geneva, and soon after a solemn address was made to the queen to bring all the other churches to Calvin's plan.

This application miscarried at court. It is granted the queen allowed them the church they had already; but in all other parishes of the island the English service was strictly enjoined, as appears by a letter of the privy council to the bailiff and jurats, bearing date August the 5th, 1565. However, all the other churches of this island soon followed the example of St. Helier, and the English Liturgy was generally laid aside. This gave great encouragement to the Puritans in England, who, to improve the opportunity, despatched Cartwright and Snape into these islands. These leading Nonconformists procured a synod of the ministers and elders of Jersey, Guernsey, Sark, and Alderney. It was held at the town of St. Peter's-port, in Guernsey, June the 28th, 1576. And here the governors of Jersey and Guernsey being present, a form of classical discipline, digested in twenty chapters, and each chapter into several articles, was agreed to be used in the four islands. This discipline afterwards was confirmed by another synod held in Guernsey, October, 1597: and, which is somewhat remarkable, the governors took the liberty to countenance this illegal assembly, and throw the Liturgy out of those churches where the use of it was expressly enjoined by the queen. However, these politicians found their account in the matter; for by thus reforming the Reformation, they secularized the Church lands, and swept the revenues of both the deaneries into their coffers.

At king James's accession to the throne, the puritanical party addressed him with a false suggestion that the discipline had been allowed by queen Elizabeth. Upon this misrepresentation they procured a letter from his majesty, under the privy seal, in confirmation of the pretended permission in the late reign. The letter runs thus:—

“ James, by the grace of God, king of England, Scotland, JAMES I. France, and Ireland, &c., unto all those whom these presents shall concern, greeting. Whereas we ourselves, and the lords of our council, have been given to understand that it pleased God to put into the heart of the late queen, our most dear sister, to permit and allow unto the isles of Jersey and Guernsey, parcel of the duchy of Normandy, the use of the government of the reformed Churches of the said duchy, whereof they have stood possessed until our coming to the crown. For this cause, we, desiring to follow the pious example of our said sister in this behalf, as well for the advancement of the glory of Almighty God as for the edification of his Church, do will and ordain, that our said isles shall quietly enjoy their said liberty in the use of ecclesiastical discipline, there now established; forbidding any one to give them any trouble or impeachment, so long as they contain themselves in our obedience, and attempt not any thing against the power and sacred word of God. Given at our palace at Hampton-court, the 8th of August, in the first year of our reign of England, 1603.”

This letter was read in a synod of both islands, held in Guernsey in the year 1605. But the indulgence was but of short continuance: for sir John Peyton, who succeeded sir Walter Raleigh, was no friend to the Geneva platform. And over and above he might possibly have some secret instructions for recovering the use of the English Liturgy. For this purpose an opportunity offered upon the following occasion. The curate of St. John's being lately dead, the colloquy, or ecclesiastical meeting of the island, pursuant to their late method, appointed one Brevin to succeed him. The governor, the king's attorney, and other officers of the crown, protested publicly against these proceedings, alleging the prerogative was injured, and the royal revenues lessened by this pretended privilege. However, their remonstrance was overruled, and the colloquy carried their point. But the protestors refusing to acquiesce, exhibited a bill of articles to the lords of the council against the Jersey ministers. The complaint sets forth, “that these ministers had usurped the patronage of all the benefices in the island: that they admitted men to livings without any form or presentation: that by this means his majesty lost the profits of vacancies and first-fruits: that by the connivance, to

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speak softly, of the former governors, they exercised a kind of arbitrary jurisdiction, making and nulling laws at their own discretion. To prevent these inconveniences, they humbly pray his majesty to settle such a discipline as may be most suitable to the island, and less prejudicial to the prerogative royal."

This being looked on as a reasonable complaint, commissioners were sent into the island to rectify disorders, and recover the Church to a better establishment. To these commissioners the Jersey ministers gave in their answer under two heads:—

"First, That their exercise of jurisdiction, and assigning incumbents to void parishes, were principal branches of Church discipline, and confirmed to them as such by his majesty.

"Secondly, That the payment of first-fruits and tenths had never been demanded since they were disengaged from the see of Coutance."

But this answer not giving satisfaction to the council of England, and the contest remaining undecided, the Hugonotic Church lost ground apace, and was much embarrassed. For whereas formerly those who entered upon any public office, either ecclesiastical or civil, used to swear the maintenance of the discipline; now that security was refused, and the oath censured as dangerous and unwarrantable. It was likewise their custom to require subscription to the Geneva regulation of all such as received the holy eucharist. But now the king's attorney, and others in that interest, chose rather to abstain from that sacrament than communicate upon those terms. Their elders likewise, who thought themselves impregnable against prosecution, were dragged into the temporal courts, and stripped of their pretended privilege. Nor had they much better quarter in their sacred consistory. For the jurats in their *cohu*¹ or town-hall took the freedom to reverse their sentence, and supersede their ecclesiastical process. And, which is common in a turn of disadvantage, their affairs went farther backwards; for the people finding the ministers sink in their credit, refused to pay their tithes, and forced them to a remedy at law. And to finish their misfortune, a bill was preferred

¹ *Cohu*, or *chua*, signifies a promiscuous multitude of men at a fair, or market; hence the term *cohuagium*, the market rate, or tribute.—Vide Du Cange.

against them in the common cohu. And here they were charged with hypocrisy in conversation, tyrannic exercise of jurisdiction, and secret practice against the governor. JAMES I.

To weather this storm and restore their affairs, they addressed A.D. 1612. the earl of Salisbury, then lord treasurer of England. This nobleman, seeming well pleased with their application, advised them to solicit their brethren of Guernsey to join with them in a petition to the king. This advice, though carrying an air of regard, had something of art and further meaning at the bottom : for the king by this means would not only gain time, but by engaging those at Guernsey in the same address, they must of consequence come under the same settlement. But the death of the treasurer happening soon after, the project fell with him.

And now their singularities drew another misfortune upon them. The parish of St. Peter's falling void by the death of the incumbent, the governor presented one Aaron Messering. This minister, a native of Jersey, had studied in Oxford, and received priest's orders from Bridges, bishop of that diocese. This approach to the Church of England was highly resented by the colloquy. They were positively resolved A.D. 1615. against his admission to the cure. And here his taking a presentation from the governor was reckoned a much lesser crime than his orders from a bishop. The forcing a man of such a latitude upon them was strongly clamoured against. They fancied popery was breaking in, and resolved upon the utmost opposition. Upon this a new information was preferred against them to the lords of the council. The bill, amongst other things, suggested the inhabitants were dissatisfied with the present discipline, and that most of them might easily be prevailed with to comply with the English form.

This complaint brought the governor and the ministers to A.D. 1618. court. The latter kept close to the common cause ; but before the matter was determined, De la Place, one of the soliciting ministers, deserted from his brethren. Some of the governor's party, it seems, had tempted the ambition of this divine, and gained him. He was made to believe that if the Church government was altered, and the deanery restored, he would certainly be the person for that preferment. Upon this view he betrayed the secrets of his party, and furnished those in the governor's interest with intelligence. And now the ministers

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not being unanimous in their request, and receiving an immediate answer to their objections, the strength of their defence being discovered beforehand by De la Place: things standing thus unresolved and broken, archbishop Abbot, at the council table, acquainted them with the king's pleasure, to this effect:

"That for the speedy redress of disorders, it was thought most convenient to revive the office and authority of the dean; that the Book of Common Prayer should be reprinted in French, and used in their churches; but that the ministers should not be tied to it in every particular. That Messering should be admitted to his living; and that upon these conditions they might return to their respective cures."

This award meeting with no quick compliance, the council ordered the ministers to make choice of three persons of character out of their own body; and that the names of these being returned to the board, his majesty would nominate one of them for the deanery.

A. D. 1620.

But this expedient not being relished by the ministers, Mr. David Bandinell, an Italian, then minister of St. Mary's, was sent off for England with the governor's recommendation.

A. D. 1623.
*The deanery
revived in
Jersey, and
the island
brought to a
conformity
with the
Church of
England.*

And the archbishop finding him answerable to report, he was made dean by his majesty's letters-patent, and the profits and jurisdiction of that office vested in him. And to direct the management, some articles, called the "Interim," were drawn and signed by the king. These were to continue in force until a body of canons should be formed for that purpose. By this "Interim" the ministers were at liberty not to bid the holidays, to forbear the use of the cross in baptism, and the wearing the surplice, and to give the holy eucharist to those who scrupled receiving it kneeling. The "Book of Canons," afterwards drawn up by the dean and ministers, was examined and corrected by the archbishop of Canterbury, by Williams, bishop of Lincoln and lord-keeper, and by Andrews, bishop of Winchester; in whose diocese the islands of Jersey and Guernsey lay. For which reason it was ordered in the king's letters-patent which confirmed these canons, that the bishop of Winchester should, by his commission under the episcopal seal as ordinary of the place, authorize the dean to exercise ecclesiastical jurisdiction, pursuant to the tenor of the canons. And thus the island was recovered to an entire conformity with the Church of England.

707.

The same regulation had taken place in Guernsey, had not the rupture with Spain diverted the king to other affairs. This reign and the next growing embarrassed, some of the ministers made use of the juncture to return to their Nonconformity, particularly De la Place, above-mentioned, resenting his missing the deanery, retired into Guernsey, and made a bold opposition against the English liturgy.

JAMES I.

As to Jersey, it was first parcel of the diocese of Dol, in Bretagne, and so continued from the time of St. Sampson till the coming of the Normans into Neustria. These strangers happening to contest with the Britons about their frontiers, withdrew these islands of Jersey, Guernsey, &c. from the obedience of their prelate, and annexed them to a see of their own, to Coutance, in Normandy.

Heylin's
Hist. Presb.

And now to come back to the order of time. One Bartholomew Legget was convented for Arianism before King, bishop of London. At his appearing he denied the authority of the court, and persisting in his obstinacy, was pronounced an incorrigible heretic, and delivered over to the secular magistrate. Upon which a writ "de heretico comburendo" being directed to the sheriffs in London, he was burnt in Smithfield.

March 18,
A. D.
1611-12.*Legget and
Wightman
burnt for
heresy.*

About a month afterward, Edward Wightman, of Burton-upon-Trent, convicted of heresy before Neile, bishop of Coventry and Lichfield, was burnt at Lichfield. This unhappy person was charged with the heresies of Simon Magus, Ebion, and Cerinthus, of Valentinian, Arian, and Macedonius, of Manes, Photinus, and the Anabaptists¹.

Fuller's
Ch. Hist.
book 10.

The next year, at a parliament held at Edinburgh, the conclusions agreed in the late general assembly at Glasgow were confirmed, with some explanations. To mention something of this latter kind. In case the diocesan should refuse to admit a qualified minister proposed by the patron, it is lawful for the patron to enter upon the profits of the living, and keep them in his hand. And here either the patron, or the parish unprovided with a pastor, may complain to the archbishop, and in case the archbishop refuses to give due satisfaction, the lords of the privy council, upon the party's complaint, are empowered to direct letters of horning against the ordinary. But here it is provided, that if any archbishop, or bishop, shall perceive the person presented guilty of simony with the patron, in not

October,
A. D. 1612.

¹ The martyrdom of these Arians was one of the most infamous proceedings of James's reign.

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Abp. Cant.

reserving a sufficient maintenance for him and his successors; if this can be proved, either by the party's oath, or other evidence, in such cases the ordinary may lawfully refuse the person presented; it is likewise enacted, that when any controversy of this nature shall happen, it shall be decided by the lords of council and session. And to conclude, by this statute the act made in the year 1592, and all other resembling acts in favour of presbytery, and derogatory to the articles of the general assembly at Glasgow, are repealed.

James 6.
parl. 21.
cap. 1.

The death of prince Henry, which happened in November, this year, was extremely regreted. He died in the nineteenth year of his age, and was a very promising prince. By this calamity at court, the marriage of the lady Elizabeth with the elector palatine of the Rhine was postponed till February following.

*The earl of
Essex and
the lady
Frances
Howard
divorced.*

The divorce between the earl of Essex and the lady Frances Howard occurs next. A commission of delegacy to six bishops, to two privy counsellors learned in the law, and four civilians, was issued to try the cause. I shall wave relating the grounds for the divorce, or the circumstances of the evidence. The reader, if he pleases, may see the whole detail in the Annals of king James. The judges who concurred in the sentence, were Bilson, bishop of Winchester; Andrews, bishop of Ely; Neile, bishop of Coventry and Lichfield; and Buckeridge, bishop of Rochester; sir Julius Caesar, sir Thomas Parry, and sir Daniel Dun. Now though the men were unexceptionable, and the process regular, and managed in the forms of the law, the judgment did not escape uncensured. Two of the delegates, archbishop Abbot, and King, bishop of London, were against the divorce. The first wrote the reasons of his dissent, which were answered by his majesty.

Annals of
K. James,
&c. p. 1,
&c.

*Wadham-
college
founded.*

To proceed: Nicholas Wadham, of Merryfield, in the county of Somerset, esq., bequeathed four hundred pounds per annum, and six thousand pounds in money, towards the building and endowing a college in Oxford; leaving his wife executrix, and some feoffees in trust, for the performance of his will. The revenue settled was for the maintenance of a warden,

Wood, Hist.
et Antiquit.
Univ. Oxon.
lib. 2.
*The death
of Isaac
Casaubon.*
A.D. 1644.

fifteen fellows, the same number of scholars, two chaplains, two clerks, besides officers and servants.

Some few years since the famous Isaac Casaubon was invited into England by the king, and made prebendary of Canterbury. He was born at Bourdeaux, a small town in Dauphiny.

Joseph Scaliger commends him for the best Grecian of his time. He wrote several things. His last work was a critique upon "Baronius's Annals." These "Exercitations," as he calls them, were answered by Rosweidus, a Jesuit, and defended by Capellus, divinity professor at Sedan. JAMES I.

This year the king made a progress to Cambridge, where the comedy called "Ignoramus," was acted to entertain him. In this play, the barbarous Latin used by the common lawyers, is exposed with advantage enough. This satirical diversion was resented by the long robe, and, as it is said, occasioned Selden's writing his "History of Tithes," by way of revenge: but of this more afterwards.

The king's treating Arminius with hard language, in his declaration against Vorstius, was somewhat misconstrued by the Puritans. They thought his majesty much farther in their sentiments than he really was. Upon this mispersuasion they held up their tenets, and pushed the points of Calvinism with more freedom than formerly. For instance, Calvin had published a hideous notion concerning our Saviour's passion; and maintained, that he suffered the torments of hell, even to the horrors of despair: this scandalous opinion happening to be animadverted on by one Corbet, in a Good-Friday sermon, at Oxford, the preacher was smartly reprimanded by the repetition, for taking this freedom. To give another instance, Dr. John Houson, canon of Christ-church, a worthy person, and formerly vice-chancellor, was ordered a recantation, for speaking to the disadvantage of the "Geneva Annotations;" which was somewhat strange, considering these Annotations had been censured for seditious doctrines by his majesty at the Hampton-court conference: and, lastly, Dr. William Laud, then president of St. John's College, for declaring himself against Calvinism, was charged with popery, in a public sermon preached upon Easter-day, by Dr. Robert Abbot, then vice-chancellor and divinity professor. This over enterprising temper in the Puritanical party, it is thought, occasioned his majesty's publishing some directions for the universities; in which, among other things, it is enjoined, "That young students in divinity should be directed to study such books as were most agreeable in doctrine and discipline to the Church of England; and be excited to bestow their time in the Fathers and councils, schoolmen, histories, and controversies, and not to insist

708.

*The king's
directions to
the univer-
sity with
reference to
the study of
divinity.*

ABBOT,
Abp. Cant.

too long upon Compendiums and Abbreviators, making them the grounds of those sacred studies.”—This was the first remarkable check given to Calvinism in this reign.

*The progress
of Calvinism
in the king-
dom of Ire-
land.*

And now to take a short view of the condition of religion in Ireland. The Puritan persuasion had for some time gotten great footing in this kingdom; the late reign having proved but unfortunate to that Church. Here the lay-managers, to enrich themselves, struck in with the Nonconformists against the hierarchy. The revenues of the prelates and cathedrals were set to sale; and the ravage was carried on to so great a calamity, that some sees had nothing towards a competency left to maintain a bishop. For which reason several dioceses were thrown together to make a tolerable subsistence. Thus the bishoprics of Ardagh and Kilmore, Ossory and Kilkenny, Down and Connor, Waterford and Lismore, Cork and Ross, &c. were united.

This poverty reached the inferior orders. For the parish tithes being mostly appropriated to religious houses, fell to the crown at the dissolution; afterwards king Henry VIII., and his successors, conveyed them to their favourites: and thus they were now alienated from the Church, and turned to lay-fees. The vicarages were generally sunk to a lamentable provision: insomuch, that in the province of Connaught, the common allowance to the vicar amounted but to forty shillings per annum, and sometimes but to sixteen. Thus the Church revenues being seized, the authority of the bishops and clergy declined of course, and the people followed their own fancy in the choice of religion: and in this despicable condition the Church of Ireland was left at the death of queen Elizabeth.

At the Hampton-court conference the king proposed the sending preachers into Ireland, complaining he was but half a monarch in that kingdom; that nothing but their bodies were subject to his authority; for their consciences were under the pope's command. However, it does not appear any expedient was tried to bring the Irish farther into the Reformation till after the year 1607: about which time the earl of Ter-Owen, Ter-Connel, sir John Odhagharty, and other noblemen of the north, quitted the island with their families, and left their estates to the king's disposal. Upon this the plantation of Ulster was undertaken by the city of London: these adventurers fortified Coleraine, built Londonderry, and purchased a

great tract of land in the adjacent parts. But the planting this province was more vigorously pursued by some of the Scots, who transported numerous colonies. These planters improved the country, and brought preachers into the churches where they settled. But being of the Presbyterian persuasion, they formed the church upon their own scheme; and as for episcopal government, and the English Common-prayer, nothing was more despised and neglected.

And thus Calvinism advancing by degrees, both in discipline and doctrine, the latter was at last received as the public belief of the Irish Church. Thus the Articles of the Church of England not passing the test, the divines there went so far in their singularities, as to bring in a confession of their own. The draught was referred to the conduct of Dr. James Usher, then provost of Dublin-college, and afterwards lord primate. By this gentleman's management, the Lambeth Articles, rejected at the Hampton-court conference, were taken into the Confession. Secondly, An article was framed to justify the morality of the Sunday Sabbath, and requiring the spending it wholly in religious exercises. Thirdly, Something of Calvin's notion concerning our Saviour's agony and descent into hell is maintained. Fourthly, Forbearing flesh upon certain days of abstinence, is declared not to be done upon the score of mortification, but for politic considerations. Fifthly, All clergymen are supposed lawfully called, who have their business assigned them by those who have authority in the Church: but that these authorized persons are none but bishops, is not asserted. Sixthly, The power of the keys is said to be only declarative, which expounds away one main branch of the sacerdotal commission, and makes the apostolic privilege of binding and loosing signify nothing. The pope is made antichrist, pursuant to the doctrine of the Calvinistic synod at Gappe, in Dauphiny. And, lastly, The consecration of archbishops and bishops, is passed over in silence; as if it was done on purpose to avoid asserting the distinction between this order and that of priests. Thus Usher's private opinions were thrown into the articles for the Church of Ireland, passed in the convention there this year, and were ratified by the lord deputy Chichester in the king's name.

JAMES I.

The difference between the English and Irish Articles.

A. D. 1615.

As to his majesty's sentiment, it was plainly different from many of these decisions: how then came it about that the

ABBOT,
Abp. Cant.

*Conjectures
upon the
grounds why
his majesty
confirmed
the Irish
Articles.*

articles were confirmed by his authority? There are several conjectures to satisfy this question. First, it is said archbishop Abbot, and James Mountague, bishop of Bath and Wells, had the ascendant at court in Church affairs: now these prelates had formerly undertaken the defence of some, or most of these opinions. Secondly, The king's engaging so earnestly in the controversy with Vorstius, and taking part with the prince of Orange against Barnevelt and the Remonstrants, might probably press him with his own precedent; and thus he might be prevailed with not to reject those opinions in Ireland, which had been countenanced by him in Holland. Lastly, It was no unusual method with this prince to balance one extreme, by throwing weight into another: thus the Papists were sometimes countenanced against the Puritans, and the Puritans against the Papists: that by this means the growth of each division might be checked, and the English Reformation better secured. Whether the king was determined by these motives, or by which of them, is uncertain. However, the Puritans made their advantage of the ratification: and when they happened to be pinched in any of the points above-mentioned, their way was to take shelter in the Irish articles, and appeal to king James's testimony.

709.

This year, King, bishop of London, consecrated a chapel at Edmington, situate near the house of John Weld, esq.; the consecration prayer stands thus:—

*Bishop
King's form
for conse-
crating a
chapel.*

“O most merciful Father, the heaven is thy throne, and the earth is thy footstool, what house then can be built for thee! Or what place is there that thou shouldst rest in! But yet since it has ever been thy delight to be with the sons of men, therefore in all ages of the world, thy servants have separated and hallowed certain places from all profane and common uses unto thy divine service, either by thy special commandment, or by the inspiration of thy blessed Spirit. So Adam had his oratory in paradise, and Jacob his praying place in the fields; Moses his holy ground in the wilderness, and the children of Israel their tabernacle for thy worship in the land of promise; until it pleased thee at the last to put into the heart of king Solomon to build a temple to thy honour in Jerusalem, admirable for beauty, invaluable for riches, renowned for sanctity throughout all the world; whither the tribes of Israel did

assemble three times a year to offer sacrifices and oblations unto thee: and afterwards, thy people being inflamed with the zeal of thine house, added daily unto their mother Church lesser synagogues in every town. By which godly examples revealed in thy word, the Christian churches in their succession have made and consecrated houses unto thee, as well for the celebration of divine ordinances and preaching of thy heavenly word, as for the invocation of thy great name and administration of thy holy sacraments. For the temple is the court of audience wherein thou dost sit to hear our prayers, and it is our heaven upon earth wherein we assemble and meet together to laud and magnify thy glorious majesty. And does not reason and religion inforce us to this work? For shall the sparrow have an house, and the swallow her nest, and shall we not find out an house for thee, O Lord, our Redeemer? Shall we which are but dust and ashes build unto ourselves ceiled and beautiful houses for our worldly affairs, yea, and for our pleasures; and shall we not build and dedicate some houses for thy worship, unto thy great and fearful name, and repay, as it were, the tithes of our dwelling-places back again unto thee? For all things came from thee, and we can give thee but thy own. Accept, therefore, we beseech thee, most gracious Father, this our bounden duty; and because, except thou build the house, they labour but in vain that build it, sanctify this house with thy gracious presence, which is erected unto the honour of thy service. Now therefore arise, O Lord, and come unto this place of rest; let thine eyes be open to this house night and day. Let thine ears be ready towards the prayers of thy children, which they shall pour forth to thee in this place. And let thine heart delight to dwell here perpetually. And whenever thy servants shall make their petitions unto thee in this house, either to bestow thy good graces and blessings upon them, or to remove thy heavy punishments and judgments from them, hear thou from heaven thy dwelling-place, and when thou hearest, have mercy, and grant, O Lord, we beseech thee, that here and elsewhere thy priests may be clothed with righteousness, and that all the saints may rejoice in thy salvation: so that when we shall cease to pray to thee in these earthly temples, we may, at the last, praise thee in thy glorious temple, not made with hands, but eternal in the heavens, for thy dear Son, our blessed

ABBOT, Saviour Jesus Christ his sake, who lives and reigns with thee, and the Holy Ghost, one God, world without end. Amen.”

King, Regist.
fol. 401.

After this a psalm was sung, and the bishop dismissed the congregation with his blessing.

Vaughan,
Regist.
fol. 405.
Sept. 15,
A. D. 1816.
*Bishop
Bilson's
death and
character.*
Wood,
Athen.
Oxon.

The same form was used at the consecration of a chapel in Clay-hall in the parish of Barking in Essex, belonging to sir Christopher Hatton, grandfather to the late viscount Hatton. The chapel was consecrated by Thomas, bishop of Chester.

In June the next year, Thomas Bilson, bishop of Winchester, departed this life. His great grandfather, Arnold Bilson, a high German, married a daughter of the duke of Bavaria. This prelate, born in Winchester, and bred at New-college, was afterwards schoolmaster of Winchester, and then warden of the college. His first see was that of Worcester, from whence he was translated to Winchester in the year 1597. He was a person of great learning, particularly a good linguist, and well read in the fathers and schoolmen. He was an author of character, and writ in defence of the Church of England, both against the Papists and the Puritans. His book, entitled, “The true Difference between Christian Subjection, and Unchristian Rebellion,” gives a dangerous latitude to subjects in some cases. It is said to have been written at the instance of queen Elizabeth, who upon her undertaking the protection of the Dutch, was willing to put the best colours upon their revolt from the king of Spain. In his “Perpetual Government of Christ’s Church,” the patriarchal power with respect to religion is asserted in the fathers of families before the law; this authority, as he endeavours to prove, was afterwards transferred upon the tribe of Levi. In this tract the powers and extent of jurisdiction in the Jewish Sanhedrim are likewise considered. His survey of Christ’s sufferings and descent into hell, is a learned work, and levelled against Calvin and the Puritans.

August 13.
The assembly at Aberdeen decree the drawing up a Book of Common Prayer and canons.
Sept. 1616.
Spotswood,
Ch. Hist.

At a general assembly at Aberdeen it was agreed, that a liturgy or book of common prayer should be compiled for the use of the Church; that the acts of general assemblies should be collected and digested into method for a rule of discipline. The king sent the assembly a draught of several articles, but the passing them was refused at present.

To return to England. The archbishop of Canterbury

having desired the opinion of one Rives, a learned civilian, JAMES I.
concerning the translation of bishops: and whether it was
within the power of the prince to remove them at pleasure,
from one see to another: to this question, Abbot received
a sort of negative answer, though worded with modesty and
caution.

Upon this occasion it may not be improper to give a brief
report of the sense of the ancient Church, with respect to
translations. To begin with the apostles' canons: it is here
decreed, "That it is not lawful for a bishop to leave his own
diocese, and remove to another, without a justifiable motive:
that is, unless he has a fair prospect of doing more service to
the Church upon such a translation: but even in this case, he
is not to remove without strong solicitation, and by the order
of a great number of bishops." The council of Nice deter-
mines the point to the same sense, and declares, "That if
any bishop quits his own see, and settles in another, his trans-
lation shall be void, and he shall be returned to the diocese to
which he was first consecrated." But then this prohibition is
to be understood with the limitation mentioned in the apostles'
canons.

See Records,
num. 105.
*Canons of
the ancient
Church con-
cerning
translations.*

Canon.
Apostol.
can. 14.

Concil.
Nicen. 1.
can. 15.
A. D. 325.

Notwithstanding this provision, the council of Sardica com-
plained, "That covetousness and ambition had brought an ill
custom upon the Church: and that it was too common a
practice for bishops to remove from a less city to a greater;
and that an instance the other way was seldom or never to
be met with: from whence it was plain they were governed
by considerations of interest. It is therefore decreed, at the
suggestion of the famous Hosius, that when translations are
thus indirectly managed, the criminal bishops shall be thrown
even out of lay communion."

710.

To put a stop to this prevarication, the council of Antioch
somewhat before resolved the case to the same purpose: the
canon speaks thus, "If any undiocesed bishop seizes a vacant
see without the consent of an entire synod, let him be dis-
carded, though all the people of the new diocese have con-
curred in his election:" and to settle their notion of an entire
synod, they tell us there must be a metropolitan at the head of
it.

A. D. 347.
Can. 1.

Ἐπίσκοπος
σχιλάζων.
A. D. 341.

Thus we see by the constitutions of the ancient Church
translations were put into the hands of the bishops, and not

Can. 16.
Pandec.
Canon.
Beveridg.
tom. 1.

ABBOT,
Abp. Cant.

reckoned valid when under any other direction. But in after ages, the canons were overborne by the pontificate and the regale. And now the bishops chose rather to lie passive under the change, than run the risk of a contest, and lose the protection of such sovereign powers. But by the way, the instance before us is somewhat different: the case put to Rives is not whether it is in the prince's power to assist the ambition of a bishop, and promote him to a more wealthy and honourable see; but whether he may fairly remove him against his will?

*The king's
power for
granting
commen-
dams argued
in West-
minster-hall.*

About this time the king's power in granting commendams was disputed in the court of Common Pleas. Serjeant Chibborn argued against the crown, that translation of bishops was against common law: his proof was the canons of the council of Sardis,—he meant Sardica. But not to mention the giving the canons of a provincial council the same authority with common law, is somewhat unusual in a serjeant; not to mention this, I say, what connexion is there between translations and commendams? Or which way will the consequence hold from one to the other? The serjeant argues farther, that nothing but necessity could justify the king's granting commendams; and that the present case would not admit of this plea: there was no need, he pleaded, for augmenting the bishops' revenues by commendams, because no man is bound to hospitality beyond the bulk of his fortune. But this way of reasoning looks short of the point: for has not a bishop an honourable station both in Church and State? Is it not therefore necessary he should be furnished with a suitable maintenance; with an estate proper to recommend his character, to enable him to answer his post, and do public service?

This case of commendams was farther argued by all the judges. The king being now upon his progress, and advertised of the dispute, ordered the attorney-general to acquaint them by letter, that they should defer their resolution till they had consulted his majesty.

*The judges
refuse to
stay the pro-
ceedings at
the king's
order.*

The judges, notwithstanding, proceeded to the argument, and returned the king an answer, that they looked upon his majesty's letter to be contrary to law; and that their oath would not give them leave to obey: and to justify themselves, they cited two acts of parliament, "That in case any letters came to them from the king contrary to law, they are not to obey them,

but proceed to justice." To this answer ten of the judges put their hands, of which the chief justices, Coke and Hubbart, were two. The king replied in a letter, that the alleging their oath for their noncompliance, was a weak and impertinent pretence: that it was very unreasonable to suppose his predecessors should be carried off their guard to such a degree, as to pass an act so very prejudicial to their prerogative: that their oath reached only to private cases between subject and subject, and was designed to prevent the prince being solicited by either of the parties. And in the close, commands them not to proceed in the plea till his return to London.

At his majesty's coming to town, the judges were all sent for to the council-table. The king began with taking their letter in pieces, and showing their misbehaviour with respect both to matter and manner. He reprimands them for their remissness in permitting the counsel to dispute his prerogative at the bar; and tells them it was their duty to check those intemperate sallies, and not suffer such insolence upon the crown. Then as to their own business, he acquaints them, that deferring their resolution upon just and necessary reasons, is neither a denial, nor delay of justice: it is rather a pause of necessary prudence: nothing being more proper and advisable than to consult the king where the crown is concerned. He told them farther, that to say the point was a private contest between the subject, was wide of the case; for that a bishop, the defendant, pleaded for a commendam only in virtue of the prerogative royal: and besides, they could not prove either of the parties solicited for expedition. And lastly, he let them know their letter was indecently couched, and failed in the form. Upon this all the judges kneeled, owned their error, and craved pardon. But as to the matter, the chief justice Coke stood upon his defence; declared that his majesty's command for stopping the proceedings, was a delay of justice, and by consequence against law and their oath: and that as they intended to manage the pleading, the king's prerogative should not have been concerned. To this the king answered, that for them to pronounce whether his prerogative was concerned or not, without consulting him, was preposterous management. And his majesty required the lord chancellor to deliver his opinion, whether he had commanded the judges any thing against law, and their oath.

JAMES I.

*They acknowledged
their error,
and ask
pardon.*

ABBOT,
Abp. Cant.

The chancellor excusing himself as to the point of law, referred the question to the king's counsel. Upon this, the attorney-general Bacon declared, "That to put off the day, was no delay of justice, nor any failure in their oath: that the king's reasons for this delay, were only to secure his prerogative:" and therefore puts the question to the judges, "Whether this refusal of theirs to make a halt, was not nearer a breach of their oath? For they were sworn to counsel the king when they are called. But not to give his majesty counsel till the business is over, is in effect not to give counsel at all." The rest of the king's council concurred with the attorney.

711.

The chief justice Coke argued, the king's counsel had exceeded their bounds: that it was their duty to plead before the judges, but not against them. To this the attorney Bacon replied, "that the king's counsel were obliged by their oath and office, not only to plead, proceed, and declare against the greatest subject, but also against any body of subjects, were they judges, courts, or commons in parliament: that the judges had disobliged their character by making this challenge." And in the close, "The attorney appealing to the king, the chief justice said he would dispute not with his majesty." The lord chancellor gave his opinion for the king, and his counsel learned in the law.

Upon this, the question was put by all the lords of the board, "Whether, in a case where the king believed his prerogative or interest concerned, and required the judges to attend him for their advice: whether, in such a case, they ought not to stay proceedings till his majesty has consulted them?"

All the judges submitted to the affirmative side of the question, excepting Coke, chief justice of the King's Bench, who said, "that when the case happened, he would do his duty." The chief justice of the Common Pleas was more compliant in his answer, and declared, "that for his part he would always trust the justice of the king's command."

The day drawing nigh for arguing the commendams further, the king asked the judges if they intended to discuss whether the king had a general power for granting commendams or not? They all agreed not to draw his majesty's power into question, and promised to correct the presumption of those pleaders who took the liberty to state the prerogative. And

as to the present case, judge Doddridge gave his opinion for the king; that the Church was void, and in his majesty's gift; and that he might grant a commendam to a bishop before or after consecration, and that either during life or for years.

When the judges were gone, it was resolved by the privy council that what the king required was neither against law nor the judges' oath: and this opinion was signed by all the board.

This year, the king being at Royston, Mr. Edward Simpson, a good scholar, and fellow of Trinity-college, preached before his majesty: his text was, "that which is born of the flesh is flesh." From hence he endeavoured to prove that the committing any great sin extinguishes the operations of grace while the person continues in that state. To this he added, that St. Paul, in the seventh chapter to the Romans, does not describe himself or the condition of a regenerate person, but one *sub statu legis*. The king expressed his dislike of this doctrine with some warmth, because Arminius had been lately censured for drawing a resembling exposition out of Socinus's works. His majesty, to satisfy himself farther, sent to the two divinity professors at Cambridge for their judgment upon the point. These learned divines argued on the contra-remonstrant's side, and gave it under their hands that the predominancy of appetite, and the acting counter to conscience, mentioned in the seventh of the Romans, was to be understood of a regenerate man; and that this was St. Austin's last opinion in his "Retractions." After this determination the preacher was enjoined a public recantation before the king, to which sentence he submitted.

But the learned Heylin observes, that no offence was taken at the first part of Simpson's sermon; for here he went no farther than Dr. Overall's precedent above-mentioned. Secondly, in the opinion of this learned gentleman, it is probable the latter part of his discourse might have passed the test, had it not been his misfortune to have fallen in with an unacceptable author; Arminius having formerly declared himself of the same opinion, might possibly give the king a prejudice, and disincline him to the exposition. But whether Heylin is right or not in this conjecture, is more than I shall determine.

To proceed: Dr. Mocket, warden of All Soul's, in Oxford, and chaplain to archbishop Abbot, published a book in good

JAMES I.

The privy-council sign the king's command to the judges warrantable.
Annals of K. James, p. 17, from the Council Book.

John iii. 6.

Simpson recants his exposition of the 7th of the Romans before the king.
Fuller's Hist. Univers. Cambridge, p. 160.

Heylin, Quinq. Artic. Hist. p. 632.
Dr. Mocket's

ABBOT, Latin, containing the following tracts, viz. "The Apology of the Church of England," "The Greater and Lesser Catechism." "The Nine-and-thirty Articles," "The Common Prayer," "The Ordination of Bishops, Priests, and Deacons," "The Polity or Government of the Church of England." The "Homilies" being thought too voluminous for a full translation, he abridged them into propositions. This book was attacked by several critics at its first appearing. Some taxed him for presumption, for undertaking such a work without the king's permission : others complained he had been too loose and paraphrastical, and exceeded the liberty of a translator : and the propositions extracted out of the "Homilies" had a bias in the version, and ran to his private opinions. Another objection was, that he had asserted the privilege of the see of Canterbury too far, and allowed the archbishop a power to confirm the election of his provincials ; and for this he cites the authority of the first council of Nice, confirmed by Constantine the Great. The canon runs thus : " If any person is consecrated a bishop without the consent of his metropolitan, the synod declares he ought not to be owned under that character." This doctrine, it seems, bore too close upon the regale : but Mocket afterwards brings himself off ; for he expressly declares, that the king's assent to the election must precede the metropolitan's confirmation. Farther, Dr. Mocket, in his translation of the nine-and-thirty articles, omitted the first clause in the twentieth, concerning the " authority of the Church in controversies of faith." This omission, amongst other things, might probably occasion the burning his book. This public censure made a melancholy impression upon the doctor, who died in a short time after.

Thomas Fuller observes, "*Cum privilegio*" stands on the title-page.

Politic. Angl. cap. 5. p. 314.

Can. 6.

Fuller's Ch. Hist. book 10.

The king's declaration for recreation on Sundays.

Latin, containing the following tracts, viz. "The Apology of the Church of England," "The Greater and Lesser Catechism." "The Nine-and-thirty Articles," "The Common Prayer," "The Ordination of Bishops, Priests, and Deacons," "The Polity or Government of the Church of England." The "Homilies" being thought too voluminous for a full translation, he abridged them into propositions. This book was attacked by several critics at its first appearing. Some taxed him for presumption, for undertaking such a work without the king's permission : others complained he had been too loose and paraphrastical, and exceeded the liberty of a translator : and the propositions extracted out of the "Homilies" had a bias in the version, and ran to his private opinions. Another objection was, that he had asserted the privilege of the see of Canterbury too far, and allowed the archbishop a power to confirm the election of his provincials ; and for this he cites the authority of the first council of Nice, confirmed by Constantine the Great. The canon runs thus : " If any person is consecrated a bishop without the consent of his metropolitan, the synod declares he ought not to be owned under that character." This doctrine, it seems, bore too close upon the regale : but Mocket afterwards brings himself off ; for he expressly declares, that the king's assent to the election must precede the metropolitan's confirmation. Farther, Dr. Mocket, in his translation of the nine-and-thirty articles, omitted the first clause in the twentieth, concerning the " authority of the Church in controversies of faith." This omission, amongst other things, might probably occasion the burning his book. This public censure made a melancholy impression upon the doctor, who died in a short time after.

The king having lately made a progress through Lancashire, observed that the excessive scruples of some magistrates and ministers, and their tying people up from all sorts of relaxation on the Sunday, had given the Papists an occasion to misreport the Church of England ; as if no innocent recreation was allowed among the reformed. Now, to prevent their gaining proselytes upon this colour, the king, then at Greenwich, published the following declaration :

" That for his good people's lawful recreations, his pleasure was, that after the end of Divine service they should not be disturbed, letted, or discouraged, from any lawful recreations ;

such as dancing, either of men or women; archery for men, leaping, vaulting, or any such harmless recreations: nor from having of May-games, Whitsun-ales, or morrice-dances, and setting up of May-poles, or other sports therewith used, so as the same be had in due and convenient time, without impediment or let of Divine service: and that women should have leave to carry rushes to the church for the decorating of it, according to their old custom; withal, prohibiting all unlawful games to be used on the Sundays only, as bear-baiting, bull-baiting, interludes, and (at all times in the meaner sort of people by law prohibited) bowling.”

JAMES I.

May 24,
1618.

712.

To prevent the ill use of this liberty, there were several restraints in the indulgence.

First, These recreations were to be so managed as not to hinder the performance of public duty at church.

Secondly, That no recusant should have the benefit of this liberty.

Nor, thirdly, Such as were not present at the whole of divine service.

And fourthly, That none should have the freedom of this relaxation but such as kept to their own parishes.

However, this declaration was somewhat shocking to a great many people; and the clergy were apprehensive the reading it in churches would have been enjoined them: and though it was published only for the use of Lancashire, they were afraid the order might be enlarged and reach the whole kingdom. But whatever the first intentions of the court might have been, the declaration was afterwards in a manner dropped, and no churchman obliged to read it. And since this subject will return in the next reign, I shall dismiss it at present.

On the 31st of August this summer, a general assembly met at Perth: the lords Haddington, Carnegy, and Seone, were the king's commissioners. And here the five articles which stuck at Aberdeen, after being debated by a committee, passed in the full assembly.

The general assembly at Perth decrees kneeling at the holy eucharist.

“ First, That in reverence to the Divine Majesty, and due regard to the mystery of the holy eucharist, it is decreed that this blessed sacrament shall be celebrated and received kneeling.

“ Secondly, If any good Christian, visited with long sick-

ABBOT,
Abp. Cant.

*Communi-
cating with
the sick.*

ness, and be unable to come to church; or shall declare to the pastor, upon his conscience, that he believes his sickness will prove mortal, and earnestly desires to receive the holy eucharist in his house, the pastor shall not deny him so great a comfort: but after notice given the night before, and upon condition there shall be three or four unexceptionable persons to communicate with him, and all things decently prepared, the minister shall give him the holy sacrament according to the order prescribed.

*Private
baptism.*

“Thirdly, The minister shall frequently admonish the people not to defer the baptism of infants beyond the next Sunday after their birth, unless the reason for deferring this sacrament is approved by him: the ministers are likewise to precaution the people against baptizing their children at home, excepting in cases of apparent necessity. But when this happens, the pastor shall baptize the child in the customary form, and signify what has been done the next Lord’s-day to the congregation.

*Confirma-
tion.*

“Fourthly, Since confirmation is most necessary for the education of youth, and may be brought back to primitive practice, it is ordained that the minister in every parish shall catechise all children of eight years old; and when they are instructed to repeat the Lord’s Prayer, the Creed, and Ten Commandments, with the answers to the questions contained in the small catechism, that then the respective bishops shall order the children to be brought to them, and give them their blessing, with a prayer for increase of grace and knowledge.

*And ob-
serving some
of the Church
festivals.*

“Fifthly, In regard the inestimable benefits conveyed to mankind by the birth of our blessed Saviour, by his passion, resurrection, ascension, and by the descent of the Holy Ghost, were commendably commemorated at stated times by the universal Church; it is therefore agreed by the assembly, that these anniversary festivals shall be kept for the future; and that upon such days all ministers shall choose their text, and manage their discourse suitably to the occasion.”

Spotswood’s
Ch. Hist.

The articles thus settled, order was given to read them in all parish churches: the ministers were likewise obliged to dilate upon the lawfulness of them, and exhort their people to submission. The burghers of Edinburgh expected their pastors would stand off from this assembly, and keep close to

their old practice ; and therefore, when they found themselves disappointed in the compliance of their pastors, they deserted their communion, and applied to others of a more stubborn behaviour. The king ordered the articles to be published at the market-cross of the principal boroughs, and commanded conformity under pain of his displeasure. And thus the Church of Scotland came still nearer the English establishment, and made a considerable advance to the primitive form.

This year the learned Selden published his "History of Tithes." The preface discovers his disaffection to the clergy in a remarkable manner: he takes the freedom of coarse language, reproaches the order with ignorance and laziness ; that they had nothing to support their credit but beard, title, and habit ; and that their learning reached no farther than the Breviary, the Postilles, and the Polyantha. These outrages were smartly revenged by Richard Montague, afterwards bishop of Chichester. This divine had a better talent at satire, rallied with more breeding and wit, and beat him at his own weapon. His "Diatribæ" is principally levelled against the philological part of Selden's discourse: the remainder, that is, the authorities from ecclesiastical antiquity and imperial constitutions, is undertaken by Dr. Richard Tillesly, archdeacon of Rochester. And because these books are out of print, and not commonly met with, I shall abstract some little of the performance, and give the reader a taste of the argument.

To begin with Montague: this author takes notice that Selden resolves all the right of tithes into temporal laws, custom, *modus decimandi*, prescription, prohibition, &c. And that all pleas for tithes, without reference to positive (he means human) law, are perfectly idle ; and that neither in this kingdom, nor any other parts of Christendom, the *jus divinum* of tithes was ever maintained or acknowledged. And yet after all this direct assertion he pretends not to meddle with the divine right of tithes. On the other side, Montague, in the name of the Church of England, puts the cause boldly upon the *jus divinum*, and offers to resign all benefit of human laws if he fails in the proof. He grants some Papists and Puritans are of a contrary opinion ; but as to the conforming clergy, they are wholly in his sentiment. And here he cites sir James Sempell, sir Harry Spelman, and sir Harry Montague, chief justice, in favour of the divine right of tithes.

JAMES I.
A.D. 1618.

Selden's
"History of
Tithes" pub-
lished.

He is an-
swered by
Montague
and Tillesly.

An abstract
of part of
"Montague's
Answer."

Montague,
Diatrib.
p. 77, 78, 79.
Ibid.

Id. p. 69.

ABBOT,
Abp. Cant.
Id. p. 95.

Id. p. 100.

713.

Id. p. 105.
107.
Ibid.
Id. p. 110.
Julian.
Misopog.

Selden declares, that to hold the payment of tithes is no better than voluntary alms, is a false opinion. Notwithstanding this concession, he pretends the Dominicans and Franciscans made tithes no more than an instance of charity. This Montague affirms a mistake; and for proof, argues, that had Selden's remark been true, the council of Constance would never have condemned Wickliff's doctrine upon this score. Selden confesses, that if tithes are due, *jure divino*, they remain equally so, as well after as before human laws; for *nullum tempus occurrit regi*, no custom can prescribe against the King of heaven and earth. No state has any power to dispense with the natural, moral, or positive law of God. And here Montague lays it down for an uncontested truth, that the evangelical priesthood is more honourable than the legal, and by consequence ought to receive a more honourable maintenance: that Constantine the Great, out of a motive of piety, refused to seize the wealth of the pagan temples.

Id. p. 156,
157.

Id. p. 159.

P. 180.

P. 243, 244,
245.

Numb. xxi.
28.

Selden asserts the tithes paid by Abraham to Melchisedek were only the tithes of the plunder; but Solomon Jarki and the Syriac and Arabic interpreters expound it to a tithe of all Abraham's substance. Selden vouches Josephus for his opinion that Abraham gave only the tithe of the spoils; but Montague wrests this testimony from him. Philo-Judæus is produced on Montague's side of the text, concerning Abraham's giving tithes of all in general; and, to reinforce the argument, it is observed, that none of the fathers or commentators affirm that Abraham paid tithes only of spoils. From hence Montague makes a farther advantage, and infers, from this precedent of Abraham, that tithes of plunder in a just war are due to the evangelical priesthood. He argues from probabilities, that Abel's offering was a tenth; and that part of Cain's fault was falling short of that proportion. He takes notice that the tenth, which the Levites paid to the high-priest, is called "therumah," or "primitiæ;" and that pagan authors make first-fruits and tenths the same thing.

P. 305.

Selden pretends the Jews paid first-fruits only of seven kinds of the year's product: viz. wheat, barley, figs, grapes, olives, pomegranates, and dates. This Montague rejects as a rabbinical fancy, and disproves it from 2 Chron. xxxi. 5. He remarks farther, that, where all the tenth was given to the children of Levi, Num. xviii. 21, no place for payment is

appointed; and, therefore, Selden and Joseph Scaliger are mistaken in saying tithes were only to be paid at Jerusalem. JAMES I.
P. 314.
 This notion is disproved from the trouble and impracticableness of the thing: and, for farther evidence,—from Nehem. x. 37,—P. 318, 319.
 it appears the Levites received their tithes at their respective dwellings; and, in the next verse, it is said they were to bring up the tithe of the tithe to the house of God. From whence it seems plain the first tithe was taken in the country. All the tithes of the land, both seed and fruit, are declared to be the Lord's. The same is said of the flocks and herds. Levit. xxvii.
32.

To proceed: Montague observes four tithes were paid by the Jews. The first tithe of all increase was paid to the Levites, as their inheritance, because they had no share in the division of the lands. The second tenth was paid by the Levites to the high-priest. The laity paid another tenth out of the nine parts remaining. This second tenth, paid by the laity, was restrained to provisions for entertainment, being designed only to furnish the three great feasts at Jerusalem. And here the remainder unspent served for the use of those priests and Levites that dwelt at this capital: this tithe, therefore, was to be paid at Jerusalem. This third tithe was paid annually, like the other two. Besides these, the poor man's tithe made a fourth, which was payable only every third year. This third year is called "the year of tithing," because it was an addition to the former, Deut. xxvi. 12; therefore the Septuagint translate it *ἐπιδέκατον*, which signifies an additional tithe. And here Montague, for a farther mortification to Selden, charges him with being a plagiarist, and that he took his whole discourse of Jewish tithes out of Joseph Scaliger's diatribe upon that subject. Deut. xiv.
22, compared with
Numb. xviii.
21.
Deut. xiv.
23, 28.

Deut. xiv.
23.
2 Chron.
xxx.
Nehem. xiii.
Deut. xiv.
28, 29.
Deut. xxvi.
12.
Joseph.
Antiquit.
Judaic.
Montague,
Diatrib.
p. 343, 349.
P. 253.
P. 356, 357.

Montague observes, from Deut. xiv. 28, that tithe cattle were paid at the second lay-tithing no less than at the first, and proves self-contradiction upon his adversary.

Selden grants, that, from the purification of the Temple by Maccabæus, till Hircanus's time, his brother Simon's son, which takes in about thirty years,—during this period, Selden grants that both therumahs and tithes were paid as formerly. "And why," says Montague, "not afterwards, as well as then? The Rabbins deny it; but the Rabbins are late writers, and whimsical authority. After the captivity, the Jews were remarkable for observing the Sabbath, and standing clear of idolatry,—and why not for the payment of tithes? The

ABBOT,
Abp. Cant.
Matt. xxiii.
23.

Pharisees, a prevailing sect in our Saviour's time, were punctual in this matter; and, more than that, the Scribes and Pharisees are commended by our Saviour for their exactness in paying tithes."

Montague,
P. 387. 395.

P. 397.

P. 402. 435.

To go on: Montague observes, that the first tithe paid to the Levites was moral and evangelical; as for the three others, they seem only Levitical; and therefore, by precise precept in Scripture, no tithe was general of all but the first; and that Christian priests claim only this tithe which was paid to Melchisedek, and given to the Levites. Upon the progress of the argument, he produces Selden's confession that the Levites had near a fifth part in first-fruits and prædial tithes; that they enjoyed this proportion beside their other advantages in offerings and sacrifices, in ransoms of the first-born in cities and suburbs. And here he harangues with some vehemence against depriving the English clergy of their dues, and avers that they lose more than half their tithes by custom, prescription, and prohibitions, and argues strongly that tithes were due antecedently to the Mosaic constitution.

P. 410. et
deine.

P. 411.

Selden, to prove tithes uncommanded and arbitrary, affirms the pagan Greeks and Romans paid tithes only to some particular deities; and that this homage was no part of natural religion, but left to discretion and voluntary devotion. These assertions are opposed by Montague, and counter testimonies alleged. Paulus Diaconus, who abridged Festus Pompeius, affirms from Festus, that "*decima quæque veteres diis suis offerebant.*" And here Joseph Scaliger puts "*Hereuli*" instead of "*diis*," and falls foul upon Paulus without reason. And, to show the ancient usage of paying tithes among the Pagans, Montague cites Dionysius Halicarnassæus, an author of the first class. This historian relates, that Hercules, at his return out of Spain with Geryon's oxen, offered the tenth of the spoil to the gods. The same duty was afterwards paid by Tarquinius Priscus, at the taking of Suessa; and by Aulus Posthumius, upon his victory against the Latins. And to these are added the precedents of Marcus Coriolanus and Marcus Horatius. And here he brings his adversary to a frank confession, and tells us, Selden owns the heathens paid the gods the tenth of their plunder, the tenth of their gain in trade, and the tenth of the product of their land. Now, this distribution gives up this branch of the cause, and takes in the whole thing contested.

Id. p. 457,
458.
Dion. Halicarnassæus,
p. 190.
Id. Frag.
lib. 11.
Montague,
Distrib.
p. 460.

Montague proceeds to prove, that “decimæ” and “primitiæ” are the same, from the authorities of Philo-Judæus and Dionysius Halicarnassæus, and cites Callimachus for the same purpose. From hence he infers, that, since “primitiæ” among the heathens reached all parts of increase, their paying of tithes to the same compass cannot be questioned. And, a little forward, he catches Selden at self-contradiction: for this author, in his “Review,” grants that tithes and first-fruits were paid yearly.

JAMES I.
714.

P. 464 to 467.

P. 473.

And, because Selden attempted to make good that tithes depended mostly upon vows and voluntary acknowledgment, Montague undertook the disproof of this assertion, and argues that the matter of a vow may be a duty prior to the solemn engagement. Thus, Jacob vowed, that, if God would be with him, and prosper him in his journey, “the Lord should be his God:” and yet without doubt his duty of worshipping God did not commence upon that vow. And, for the same reason, his obligation to pay tithes, which he promised, might be antecedent to his vow, and independent on it.

Vide St.
August. in
Psalm. lxxv.
Gen. xxviii.
20, 21.

And, to harass Selden farther in his philological learning, he proves that the Roman festivals, in which they paid their tenths to their gods, returned annually; that it was the custom of this noble nation not to touch their vintage till their deities had received the first-fruits; that the Siphnians gave the tenth of the mines of gold and silver to Apollo, at Delphi; and that, when they left off paying this duty, the sea broke in and swallowed them. That the tithes of Sardis were to be paid to Jupiter when the Persians took it, and that this was matter of right and common custom. More testimonies for this point are produced by Montague out of Herodotus, Pausanias, Aristotle, and Xenophon.

Maerob.
Saturn.
lib. 3. cap. 5.
Arnob.
Herodot.
in Thalia.
Hausan. in
Phocen.
Diatrib.
p. 493. 496.
498. 500.

Porphyry.
de Abstinent.
lib. 2.

Montague observes from Porphyry, that primitiæ (the same in proportion with tenths) were given to God by the Pagans out of all things serviceable to life; that those who forbore making this acknowledgment, were marked as irreligious; and that a memorable judgment happened upon the Thoes, a nation confining upon Thracia, for this omission. He brings farther evidence from Harpocration and Didymus, that it was a general custom among the Grecians to give the tenth of their increase to the gods. And Selden in his “Review,” though in contradic-

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tion to what he had formerly maintained, confesses the Gentiles were very devout in giving the yearly increase to their deities.

Diatrib.
p. 449.

Plin. lib. 12.
cap. 14.
Diatrib.
ibid.
Id. p. 776,
777.
Id. p. 574.

And to make the argument more full, Montague cites Diodorus Siculus, who reports it the customary practice of the Carthaginians to pay the tenth of all their issues and profits to Hercules of Tyre; and that the old Arabians were obliged to pay tithes to the priests of Sabis, before they had the liberty of selling their goods.

Farther, Demosthenes declaimed against Androtion and Timocrates, for robbing Minerva of her tithes. And here this orator brands both those who kept back the homage, and those who connived at the fraud, with sacrilege. And lastly, Montague challenges Selden to show any nation or country that omitted paying tithes to their gods, and offers to give up the cause upon proof by his adversary.

To proceed: Dr. Tillesly, in his animadversions upon Selden's "History of Tithes," lays down these three propositions.

Some strictures of
Tillesly's
"Answer to
Selden."

I. First, That the fathers who lived before Constantine the Great, held tithes due *jure divino*.

II. That after the ceasing of the Pagan persecutions, tithes were paid to the clergy before the making any imperial laws or canons for this purpose.

III. That the imperial and ecclesiastical laws touching tithes, are only declarative of a divine, and not merely introductive of a human right.

Tillesly,
p. 2, 3.
Id. p. 1 to
31.

And here he produces seventy-two testimonies of fathers and councils, beginning at the second century, and ending at the year 1212, to prove the divine right of tithes. I shall mention some few of these authorities.

Id. p. 50, et
decim.

Orig.
Homil. 16.
in Gen. 18.
Num.
Cyp. de
Unitat.
Eccles.

For instance, the apostolical constitutions enjoined the paying of tithes; and to make this authority significant, he takes notice that these records of antiquity are censured but in part by the council in Trullo; and then proceeds to a defence of this particular constitution. He goes on to prove tithes paid by the Christians to the Church in Origen's time. And St. Cyprian, amongst other instances of the decay of piety, complains "at nunc de patrimoniis nec decimas damus."

The council of Gangra, held in the year 324, mentions first-fruits or tithes as an ancient duty paid to the Church. St. Austin, who was born in the year 350, tells us, “majores nostri decimas dabant;”—our ancestors paid tithes.

JAMES I.

And St. Jerome, in his comment upon the forty-fourth chapter of Ezekiel, asserts the same thing as a customary practice.

August.
Hom. 48.
inter Quin-
quagint.
Homil.

And to make good that tithes were not merely voluntary oblations, and arbitrary bounty of princes, he observes, that the consent of the diocesan or pope concurred with Charlemagne in the settling of tithes.

And to show that the fixing of incumbents upon cures was part of the bishop's jurisdiction, he cites a canon of the council of Orleans, that no lords of manors should settle any clerks within the precinct of their estates, without the bishop's leave. This was a resembling constitution to that of the emperor Justinian, in which it is declared, that if any lay-person built a church, and endowed it with a maintenance for a clerk, himself or his heirs might present a qualified incumbent, whom the bishop was obliged to ordain. But in case the clerk was underqualified by the canons, the bishop was to provide for the cure: and here the trial of the priest's ability seems left to the diocesan. Tillesly charges Selden with several instances of misrepresentation: for instance, Selden cites the ninth council of Toledo unfairly to prove lay-patrons had a right of disposing the Church revenues; whereas by the words of the canon the direct contrary is evident.

Concil.
Aurelian.
A.D. 547.
can. 7.

Novell. 123.

Selden pretends, that when the advowson of a church descended in coparcenery, the patrons might divide the profits, and present as many clerks as there were coparceners. This Tillesly disproves from the capitulars of Charlemagne, and the council of Chalon in the same reign.

Concil.
9. Tolet.
A.D. 660.
Animad.
p. 118, 119.
Id. p. 128.

Selden asserts lay-patrons gave investiture, or seizing of the tithes and endowments; and that this custom was not wholly laid aside till the end of the twelfth century. This assertion Tillesly likewise disproves from his adversary's authorities. This learned divine observes from Linwood, that monasteries which enjoyed appropriated livings had no authority to institute or suspend, but in virtue of their being the bishops' delegates.

Id. p. 135.

715.

Linwood's
Tit. de
Locat. et
Conduct.
Cap. licet.
Bonæ, &c.

And whereas, the pope's giving the privilege of exemption

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Abp. Cant.

from payment of tithes had been objected by Selden, Tillesly replies, this is no argument against the divine right of that maintenance.

Tillesly's
Animad.
p. 151.

First. Because, by the doctrine of some in those ages, the pope might dispense with the law of God, as in the case of vows, marriage, and allegiance.

Secondly. These papal exemptions to the religious were granted only "*lege charitatis*;" that is, in regard the monks, upon the score of their poverty, had had some interest in the tithes.

Selden confesses, that the bishops of Germany, and other more northern nations, had the right of all tithes within their diocese, and therefore might appropriate what they pleased.

This concession, Tillesly observes, is a contradiction to what Selden had formerly asserted.

Id. p. 211.

Tillesly, after having given some instances to his purpose in England, observes, that when patrons passed away tithes from the parochial church, the grant was confirmed by the pope or diocesan. Thus Gundulphus, bishop of Rochester, in his charter to the monks of that cathedral, concurs with the patrons in passing the tithes of several churches to the monks. By this charter the bishop's authority is plainly declared necessary to make the grant valid. The consent of the rectors of the churches from whence the tithe is alienated is likewise mentioned. And farther, the bishop Gundulphus gives the monks the tithes of his own manors, and of those which belonged to themselves. And, in short, all the grants of tithes conveyed to the church of Rochester are confirmed by the respective bishops.

Id. p. 212,
213, et
deinceps.

Id. p. 217.

Tillesly, upon the course of the argument, proves, by several records, that parochial tithes were lessened by composition with the rector, and not by the arbitrary disposal of lay-patrons.

Id. p. 225.

Selden pretends lay-patrons might build a church within their own fees without the bishop's consent. But his authority from Innocent III. is miscited; for in that epistle the pope gives them a licence for this purpose, provided they had leave from the bishop; and that the new erections did not prejudice the endowments of the ancient churches. Farther: in monasteries the monks presented as patrons to the bishop, and the bishop usually reserved himself a power of assigning

a competency to the vicar, or else made the vicar such an allowance when the living was first appropriated.

JAMES I.
Id. p. 230.

Selden confesses that, by the common law, according both to modern and ancient practice, the jurisdiction of tithes,—that is, the direct and original question of the right,—belongs properly to the ecclesiastical court. And for this, besides other authorities, Bracton and Fleta are cited by Selden. And to draw to an end, Tillesly remarks, that before the statutes of dissolution, if a religious house had been dissolved by death, or cession of the religious, all appropriations belonging to it would have been presentative. The patronage would have reverted to the heirs of the donors, and the tithes to the parish priest.

Id. p. 257.

And here it may not be improper to observe, that the old custom of paying money in lieu of tithes is a great oppression upon the clergy; because, to go no farther backwards than king Edward III., it appears a shilling in that reign weighed three shillings of the modern coin; and by the statute 1 Edw. II. cap. 1, it is evident that those who had twenty pounds a year in fee, or for term of life, were obliged either to be knighted, or fine for their refusal. From hence we may infer, that yearly income was at least equivalent to eight hundred pounds per annum at present. For, besides the abatement of the weight, the value of money is remarkably sunk since the discovery of the West Indies; insomuch that twenty shillings will scarce go so far now in commerce and expences of living as one shilling would formerly. The government seems therefore bound in justice to null the customs; or, if this is not done, to examine the time when they began, to calculate the proportion between the ancient and modern state of the coin, and bring up the payment to the present value of money.

To return. Selden, besides Montague and Tillesly, had another considerable adversary,—one Nettles, a country clergyman. This divine engaged his two first chapters concerning the custom of tithing among the Jews. But the reader may possibly have enough of this matter. Those who are inclined to go farther in the argument, may please to consult what I have reported upon this head in the first volume.

*Nettles,
another
antagonist
of Selden's.*

To proceed. The reformed in the united Belgic provinces had for some time been broken into two divisions, the Remon-

ABBOT,
Abp. Cant.

strants and Contra-Remonstrants. To make up these differences, the States resolved on the expedient of a synod, which was held at Dort in Holland. And since the king of Great Britain thought fit to dispatch some divines to make part of this assembly, I shall give a brief account of the rise of the controversy.

*The rise of
the contro-
versy be-
tween the
Remon-
strants and
the Contra-
Remon-
strants.*

James Van Harmin, or Arminius, preacher at the great church at Amsterdam, being somewhat shocked with Perkins's "Armilla aurea," wrote animadversions upon it, entitled "Examen Prædestinationis Perkinsianæ." This performance being well received, and Junius, divinity professor at Leyden, dying in the year 1603, Arminius was chosen by the university to succeed him. The Calvinians, displeased with his preferment, charged him with several heterodoxies, and preferred an information against him to the States. When the business was heard at the Hague, Arminius was acquitted, and sent to Leyden with a strong recommendation from the Church of Amsterdam. Thus he continued professor till his death, which happened in October, 1609.

Arminius had distinguished himself by his learning, diligence, and exemplary behaviour. To give him his due, he had a good reasoning head, and was no ordinary genius. By the strength of these advantages, he gained upon the audience, and left a strong party behind him. The controversy between the Calvinists and those of Arminius's persuasion were reduced to five points. These questions were held by the former in the same sense with the Lambeth articles already mentioned. In the year 1610, those who adhered to Arminius addressed their remonstrance to the States of Holland. In this paper they set forth their doctrine, and endeavoured to prove it agreeable to ancient belief. This narrative and defence was attacked by a counter-remonstrance, presented by the Calvinists; and from hence came the distinction of Remonstrants and Contra-Remonstrants. To prevent the ill consequences of different sentiments in religion, a conference was appointed at the Hague in the year 1611. This public dispute was managed by a selected committee of either side. And here the Remonstrants seemed to press the Calvinists, and come off with advantage. But what ground the Contra-Remonstrants lost in the contest, they recovered by their interest. For being much superior in numbers, and countenanced by Maurice,

*The con-
ference at
the Hague.*
716.

prince of Orange, they convented the other party before their consistories, and harassed them with suspensions, deprivations, and other censures of the Church. This rough usage forced the Remonstrants to apply to the protection of John Holden Barneveldt, a Hollander, and a person of figure in the council of State. By the interest of this patron they procured an edict from the States of Holland and West Friezland in the year 1613, enjoining a toleration of the opinions of either party. The justice of this edict is much commended by the most learned Grotius in his discourse entitled "*Pietas Ordinum Hollandiæ, &c.*"¹ Bogerman, Sibrandus, and some other warm Calvinists, published their dislike of these proceedings, and reflected on the magistracy for their neutrality. Not long after, Grotius and Barneveldt were seized and imprisoned by the prince of Orange. The latter was tried and executed; which usage was complained of as contrary to the fundamental laws of the country, and the union articles.

JAMES I.

Barneveldt and Grotius imprisoned.

King James having engaged against Vorstius, and given Arminius a hard character, was prepossessed in favour of the Contra-Remonstrants. As to the prevailing motives which governed the king, they can only be guessed at. Some think his judgment was led by archbishop Abbot, and Montague, bishop of Winchester. Others fancy his education in Scotland might give him a bias towards Calvin. And some will have it, the strength of his affection to the prince of Orange overruled him into these measures. A fourth conjecture resolves the matter into reasons of State: that the king countenanced the Contra-Remonstrants to secure the public repose in the United Provinces, and prevent their flying out into civil distractions; that he looked upon the Remonstrants as a faction; and that the harmony of the country was first disturbed by that party. Now the king at this time had a considerable interest going in the Netherlands. The cautionary towns of the Brill, Flushing, and the fort of Ramekins, were still in his hands. For these reasons he is supposed to have a more than ordinary concern for the quiet of that government. But, after all, the most honourable guess for the king's memory is, that

Conjectures upon the reasons why king James fell in with the Contra-Remonstrants.

¹ Grotius was always a Syncretist, that is, he endeavoured to combine all that was true and good in all sects and parties, as I have remarked in my translation of his celebrated "*Adamus Exul.*" This fact appears most strikingly in his "*Votum pro pace,*" and his comments on Cassander's articles of reconciliation.

ABBOT, his understanding might be surprised ; and that he had not looked thoroughly through the controversy.

To go on. The Contra-Remonstrants, having crushed their adversaries by dint of power, thought it prudent to secure their conquest, and get the face of a Church authority to countenance their rigours. To this purpose, the States-general, solicited by the prince of Orange and king James, ordered a national synod at Dort. To this assembly all the Calvinians in Europe (those of France excepted) dispatched their commissioners. King James, being requested by the States to contribute to the solemnity of the appearance, sent four divines of character, viz., George Carleton, doctor of divinity, then bishop of Llandaff, and afterwards translated to Chichester ; Joseph Hall, doctor of divinity, then dean of Worcester, afterwards successively bishop of Exeter and Norwich ; John Davenant, doctor of divinity, Margaret-professor, and master of Queens'-college in Cambridge, afterwards bishop of Salisbury ; Samuel Ward, doctor of divinity, and master of Sidney-college in Cambridge, and archdeacon of Taunton. These divines, attending his majesty at Newmarket, received the following instructions, which I shall give the reader as they stand transcribed from Dr. Davenant's manuscript.

Four English divines sent by the king to the synod of Dort.

The king's instructions to these divines.

“ 1. Our will and pleasure is, that from this time forward, upon all occasions, you inure yourselves to the practice of the Latin tongue ; that, when there is cause, you may deliver your minds with more readiness and facility.

“ 2. You shall in all points to be debated and disputed, resolve among yourselves beforehand what is the true state of the question, and jointly and uniformly agree thereupon.

“ 3. If in debating of the cause by the learned men there, any thing be emergent, whereof you thought not before, you shall meet and consult thereupon again, and so resolve among yourselves jointly what is fit to be maintained. And this to be done agreeably to the Scriptures, and the doctrine of the Church of England.

“ 4. Your advice shall be to those Churches, that their ministers do not deliver in the pulpit to the people those things for ordinary doctrines which are the highest points of schools, and not fit for vulgar capacity, but disputable on both sides.

“ 5. That they use no innovation in doctrine, but teach the

same things which were taught twenty or thirty years past in JAMES I.
 their own Churches; and especially that which contradicteth
 not their own confessions, so long since published, and known
 unto the world.

“6. That they conform themselves to the public confessions of the neighbouring reformed Churches, with whom to hold good correspondency shall be no dishonour to them.

“7. That if there be main opposition between any, who are overmuch addicted to their own opinions, your endeavour shall be, that certain positions be moderately laid down, which may tend to the mitigation of heat on both sides.

“8. That as you principally look to God’s glory, and the peace of those distracted Churches; so you have an eye to our honour, who send and employ you there: and consequently at all times consult with our ambassador there residing, who is best acquainted with the form of those countries, understandeth well the questions and differences among them, and shall from time to time receive our princely directions, as occasion shall require.

“9. Finally, in all other things which we cannot foresee, you shall carry yourselves with that advice, moderation, and discretion, as to persons of your quality and gravity shall appertain.”

Fuller’s
Ch. Hist.
book 10.

At their arrival in Holland, they waited on the prince of Orange at the Hague. The bishop made a short speech to his highness, who entertained them at his court. From hence they removed to Dort, where the synod opening on November the 3rd, all the members took the oath following:—

“I promise before God, whom I believe and adore, the Searcher of the heart and reins, that in the whole course of these synodical proceedings, in which the ‘known Five Articles,’ and difficulties thence arising, shall be discussed and decided; that in the debate and resolution of these points, and all other doctrinals, I will not make use of any human writings, but only of God’s Word, for settling the standard and rule of faith; and that I shall be governed by no other views in this whole management besides the glory of God, the peace of the Church, and especially the preserving the purity of doctrine. So may my Saviour Jesus Christ be

717.

The oath taken by the members at their admission into the synod.

Acta Synod. Dordrac. p. 64.

ABBOT,
Abp. Cant.

merciful to me, whom I earnestly pray, that for the keeping this resolve he would always support me with the assistance of his Spirit."

These English divines, in regard to their character, and the king who sent them, had an allowance from the States of ten pounds sterling a day, which they frankly spent in furnishing an hospitable table. They had orders from the king to send him weekly dispatches of what was done in the synod.

Dec. 10,
A. D. 1618.
*Mr. Balcanquel, a
Scotchman, sent to the
synod by the
king.*

The next month Walter Balcanquel, bachelor of divinity, appeared at the synod with credentials from king James. The letter imported that it was his majesty's pleasure he should act in the synod as a representative of the Church of Scotland. He was accordingly admitted, and saluted with a speech by the president.

And now, to keep close to the order of time, I shall go back to England, and give the reader an account of Selden's submission, registered in the High Commission Court, in which he acknowledges his fault under his own hand, for publishing his book, intituled "The History of Tithes." The whole record stands thus:

*Selden's re-
cantation for
writing his
"History of
Tithes."*

"Vicesimo octavo die mensis Januarii, anno Domini juxta computationem Ecclesiæ Anglicanæ 1618, coram reverendis-
simo in Christo patre, domino Georgio, Providentia Divina Cantuariensi archiepiscopo, totius Angliæ primate et metropolitano, Johanne London, Lancelot Winton, et Johanne Roffen, eadem Providentia respective episcopis; Johanne Bennet, Willicmo Bird, et Georgio Newman, militibus, in manerio archiepiscopali apud Lambeth in comitatu Surrey, judicialiter sedentibus; presente Thoma Mottershed.

"Officium dominorum contra JOHANNEM SELDEN,
de Interiori Templo, London, armigerum."

The submission runs in the form following:

"MY GOOD LORDS,

"I most humbly acknowledge my error, which I have committed in publishing the 'History of Tithes,' and especially in that I have at all, by showing any interpretation of Holy Scriptures, by meddling with councils, fathers, or canons, or

by what else soever occurs in it, offered any occasion of argument against any right of maintenance ‘jure divino’ of the ministers of the Gospel; beseeching your lordships to receive this ingenuous and humble acknowledgment, together with the unfeigned protestation of my grief, for that through it I have so incurred both his majesty’s and your lordships’ displeasure, conceived against me in behalf of the Church of England.

JAMES I.

“JOHN SELDEN.”

Tillesly’s
Animadver-
sions upon
Selden’s
History of
Tithes.
Preface,
printed
1621.

This year James Montague, bishop of Winchester, departed this life. He was son to sir Edward Montague, of Boughton, in Northamptonshire, bred in Christ’s, and afterwards master of Sidney-college in Cambridge. This prelate had a great share in the king’s esteem, published his majesty’s works, and wrote the preface. He was first preferred to the see of Bath and Wells, and from thence to Winchester. He lies buried in the cathedral of Bath, which church he in a manner rebuilt at his own charge.

Fuller.

John Overal, bishop of Norwich, died about this time. He was master of Catherine-hall, and king’s professor of divinity in Cambridge. He was a strong genius, made a great improvement in study, and was reckoned one of the most learned controversial divines of his time.

To return to the synod of Dort: Dr. Hall, finding the air unfriendly to his constitution, got his majesty’s leave to disengage, and come to England. He excused his going off in a speech, in which he laments his being unserviceable upon the score of his indisposition, expresses his esteem of the synod, and his regret in parting with them. But though his health was sunk, his oration is lively and florid, as the reader may see in the records. Hall was succeeded by Thomas Goad, doctor of divinity, and chaplain to archbishop Abbot. The president received him with the compliment of a speech, in which, among other things, he made a panegyric upon the king for his care of the synod, and not recalling one divine till he had furnished another.

Dr. Hall’s
return to
England on
the score of
ill health.

See Records,
num. 106.

In the hundred and forty-fifth session, the Belgic Confession was brought in to be subscribed by the Dutch, and publicly approved by the foreign divines. In this form of belief there was one article which clashed directly with the constitution of the English Church. It was the thirty-first, where it is

*Cæterum ubi
sint locorum
verbi Dei
ministri,
eamdem illi
atque æqua-*

ABBOT,
Abp. Cant.

*lem omnes
habent tum
potestatem
tum auctori-
tatem ut qui
sint æque
omnes Christi
unici illius
episcopi uni-
versalis et
capitis ec-
clesiæ mi-
nistri.*
Syntagm.
Confess.
Belgic.
Confess.
Confession.
p. 179.

expressly affirmed, "That the ministers of the word of God, in what place soever settled, have the same advantage of character, the same jurisdiction and authority, in regard they are all of them equally ministers of Christ, the only universal bishop, and head of the Church."

This article being a broad censure of the government of the Church by archbishops and bishops, was opposed by the British divines, and particularly by bishop Carleton, who publicly protested against it. This protestation, though admitted, and possibly entered upon record, was not so far considered as to receive an answer. In what form this exception was couched, the reader may see from the bishop's declaration, published upon his return into England. His words are these :

*Bishop
Carleton's
protestation
in the synod
in behalf of
episcopacy.*

"When we were to yield our consent to the Belgic Confession at Dort, I made open protestation in the synod, that whereas in the Confession there was inserted a strange conceit of the parity of ministers to be instituted by Christ, I declared our dissent utterly in that point. I showed, that by Christ a parity was never in the Church: that he ordained twelve apostles, as also seventy disciples: that the authority of the twelve was above the other: that the Church preserved this order left by our Saviour. And therefore, when the extraordinary power of the apostles ceased, yet this ordinary authority continued in bishops, who succeeded them, who were by the apostles left in the government of the Church, to ordain ministers, and to see that they who were so ordained should preach no other doctrine: that in an inferior degree the ministers, who were governed by bishops, succeeded the seventy disciples: that this order hath been maintained in the Church from the times of the apostles. And herein I appealed to the judgment of antiquity, and to the judgment of any learned man now living; and craved herein to be satisfied, if any man of learning could speak to the contrary. My lord of Salisbury is my witness, and so are all the rest of our company, who spake also in the cause."

718.

*The Dutch
divines' ex-
cuse for
living with-
out episco-
pacy.*

To this the bishop subjoins; That in a conferenoe with some divines of that synod, he told them, "The cause of all their troubles, was because they had no bishops amongst them, who by their authority might repress turbulent spirits that broached

novelty, every man having liberty to speak or write what they list : and that as long as there were no ecclesiastical men in authority to repress and censure such contentious spirits, their Church could never be without trouble." To this their answer was, " That they had a great honour for the good order and discipline in the Church of England, and heartily wished they could establish themselves upon this model : but they had no prospect of such a happiness ; and since the civil government had made their desires impracticable, they hoped God would be merciful to them." JAMES I.

By the way : the States, upon their revolt from the king of Spain, destroyed seven sees, and applied the revenues to the public service. The names of them are these ; the bishopric of Haarlem in Holland, of Middleborough in Zealand, of Lewarden in Friezland, of Groningue in Groningen, of Deventer in Overysse, of Ruremonde in Guelderland, and the archbishopric of Utrecht, to which the bishops of the other sees above-mentioned were suffragans.

Thus, it is possible, the gain of sacrilège prevailed to break the apostolical government. Those at the helm might be averse to the continuing episcopacy, for fear some part of the old endowments should be expected to maintain it. Thus the mitre was sent to the mint, to keep the new exchequer in cash : the crosier was seized, and a staff provided instead of it. Some people love a cheap religion, and a poor clergy : a clergy without strength, either in character or circumstances. This is the way to make discipline low and easy ; to check the freedom of the pulpits, and to prevent their being troublesome to the shop and exchange.

To proceed : Church government was not the only point in difference between the Dutch and British divines : for these latter asserted an universality of redemption by the death of Christ. But this would by no means pass upon the majority. In short, the Arminian tenets were condemned, and the Remonstrants required to subscribe the censure of their own doctrine ; and, upon their refusal of this condition, about seven hundred families were banished by an order of the States-general.

At the breaking up of the synod the government presented the English divines with two hundred pounds, to bear the expences of their voyage : they had likewise each of them a

April 29,
A. D. 1619.
*The breaking
up of the*

ABBOT,
Abp. Cant.
*synod at
Dort.*

golden medal, representing the figure of the synod; and, at their going off, the States gave them their letter to the king, in which, after having owned their obligation to his majesty for his regard to their Church, they make an honourable mention of these divines in general; and then add a distinguishing

See Records, num. 107. commendation of the bishop of Llandaff.

As to the authority of the synod of Dort, a few queries may be put to the reader's solution. But before I do this, I shall suppose these Dort divines to have been all presbyters, or at least to have set up their reformation upon priests' orders, conveyed by some of the episcopal college. I say, for brevity's sake, I shall suppose this, and enter upon no disquisition touching matter of fact.

*Some queries
upon the
authority of
this meeting.*

This being supposed, the first query is, Whether the genuineness of St. Ignatius's Epistles is not proved beyond exception by bishop Pearson? Granting this, whether that celebrated martyr, who makes the episcopal office so absolutely necessary to the Church; whether that celebrated martyr, if living, would have assisted at this synod?

Secondly, Whether those primitive bishops, who drew up the thirty-seventh and thirty-ninth of the Apostles' Canons, would have allowed a company of presbyters a conciliatory character, and the claim of a supreme ecclesiastical authority?

Thirdly, Whether the famous synod of Alexandria, already mentioned, that censured Ischyrras and Colluthus, would have taken these divines by the hand, or held any Church correspondence with them?

Fourthly, Whether by the discipline, and general practice of the ancient Church, the Dort meeting would not have been counted an invasion upon the episcopal college?

Fifthly, Whether the signing the thirty-first article of the Belgic Confession, and declaring for a parity in the ministry, does not imply a revolt from the ecclesiastical authority settled by the apostles, and universally received for fifteen hundred years together?

Sixthly, Whether the words "Protestant" and "Reformed," clapped to any sect of Christians, have force sufficient to alter the original seat of Church government, to reverse the ancient discipline, and turn the spiritual legislature into a new channel?

But I shall pass on, and leave these queries to the reader's determination.

As to the management of the synod of Dort, it is foreign to JAMES I.
our purpose; and therefore I shall wave relating the partiality of their proceedings, the hard usage put upon the Remonstrants, and the squabbles among themselves: for whatever this synod may signify in some places, we have nothing to do with it.

The English that appeared there were no other than four court divines: their commission and instructions were only from the king: properly speaking, they were no more than his majesty's plenipotentiaries: they had no delegation from the bishops, and by consequence were no representatives of the British Church. The next inference is, that what was done there can have no binding force upon the English communion¹.

About this time Frederic, elector palatine, the king's son-in-law, engaged in a very unfortunate enterprise, and, by grasping at the crown of Bohemia, lost his own dominions. To give the reader a short account of this matter, I must take my rise a little higher.

The Bohemians refuse to acknowledge the emperor Ferdinand 2.

In the reign of the emperor Rodolphus II., the Calvinian Confessionists in Bohemia, being apprehensive the Roman Catholics had formed a strong party against them, met in a general assembly at New Prague, in the year 1609. This meeting, though not convened by the emperor's authority, made a public protestation of their duty; and that their business was only to promote his majesty's service, and prevent the designs of evil counsellors. Upon this they wrote to the king of Hungary, the elector palatine, the dukes of Saxony and Brunswick, and other princes of the empire, requesting them to solicit at Vienna for a toleration of their religion: for their belief, as they affirmed, was the same in substance with the Augsburg confession. After this they addressed the emperor in expositulating terms; they complain how much they had been disappointed from time to time: and, in fine, take the freedom to acquaint him they intend to exert themselves in the field: but then this motion, as they said, should be only in defence of his imperial majesty, and to protect themselves from the practice of their enemies: pursuant to this remonstrance, they levied a

719.

¹ The synod of Dort has steadily declined in reputation on account of its errors, and the persecutions that attended them. It gave rise to a witty echoistic epigram, which, if I remember, runs thus:—

“Dordraci synodus—nodus; chorus integer—æger;
Conventus—ventus; sessio—stramen—amen.”

ABBOT,
Abp. Cant.

considerable army, well-officered, and marched boldly into Prague. They likewise procured an embassy from the elector of Saxony and the states of Silesia, who interceded for them. This application opened the emperor a passage to give way with something of honour, and put a better complexion upon his concessions: for notwithstanding their petition would have looked well, had it been drawn in dutiful and unmenacing expressions, the emperor, it is likely, would not have gone their whole length in his condescensions; but now, being under a necessity, he gave them a toleration in form, which continued undisturbed during his reign.

*They proffer
the crown to
the elector
Palatine,
who accepts
it.*

This prince was succeeded in the empire by his brother Mathias, who resigned the kingdom of Bohemia to his cousin Ferdinand, archduke of Gratz. Ferdinand was likewise elected to this kingdom, but not with that general consent of the States, which appeared for his predecessor. For this reason, the Bohemians contested the legality of the election, disclaimed Ferdinand, applied to the elector Palatine, and offered him the crown. And now Ferdinand, upon the death of Mathias, was chosen emperor. The Palsgrave stood ill with the court of Vienna, first, for projecting the confederacy of the Calvinistic princes of the union: and secondly, for rasing the fortifications at Udenhaine, made by the late emperor's orders: and for which he was prosecuted in the chamber of Spiers. By the toleration-edict of the emperor Rodolphus, the Bohemian evangelics had the liberty of building churches in towns and villages: and this privilege, as they construed it, extended to the precincts of the Roman Catholic lords. But this sense of the article was not agreed to by the papists, who stopped the building of their churches in their own lordships. Upon this the rupture began, the Bohemians ran to arms, and endeavoured to make an alliance with the protestant prince of the empire. In short, the elector Palatine hearkened to their proposal, sent to the king of England for his advice upon the juncture, but closed with the Bohemians, and accepted the crown, before it was possible for his father-in-law to return him an answer.

Acrius Re-
divivus,
Rushworth's
Collect.
vol. 1.
Annals of
King James.

This news was very surprising to the king: however, archbishop Abbot, who seemed biassed towards Calvinism, moved strongly for supporting the elector Palatine. And being in no condition to come abroad, he wrote his opinion in a very warm strain to secretary Nanton. His letter is in these words:

“GOOD MR. SECRETARY,

JAMES I.

“I have never more desired to be present at any consultation, than that which is this day to be handled; for my heart, and all my heart goeth with it; but my foot is worse than it was on Friday, so that by advice of my physician, I have sweat this whole night past, and am directed to keep my bed this day.

*Archbishop
Abbot's letter
to secretary
Nanton in
behalf of the
elector.*

“But for the matter, my humble advice is, that there is no going back, but a countenancing of it against all the world; yea, so far, as with ringing of bells, and making of bonfires in London so soon as it shall be certainly understood that the coronation is past. I am satisfied in my conscience that the cause is just, wherefore they have rejected that proud and bloody man; and so much the rather, because he hath taken a course to make that kingdom not elective, but to take it from the donation of another man. And when God hath set up the prince that is chosen to be a mark of honour through all Christendom, to propagate his gospel, and to protect the oppressed, I dare not for my part give advice, but to follow where God leads.

“It is a great honour to the king our master, that he hath such a son, whose virtues have made him thought fit to be made a king. And methinks, I do in this, and that of Hungary, foresee the work of God, that by piece and piece, the kings of the earth, that gave their power unto the beast (all the word of God must be fulfilled), shall now tear the whore, and make her desolate, as St. John in his Revelation hath foretold. I pray you, therefore, with all the spirits you have, to put life into this business; and let a return be made into Germany with speed, and with comfort, and let it be really prosecuted, that it may appear to the world, that we are awake when God in this sort calleth us.

“If I had time to express it, I could be very angry at the shuffling which was used toward my lord Doncaster, and the slighting of his embassy so, which cannot but touch upon our great master who did send him; and therefore, I would never have a noble son forsaken, for respect of them who truly aim at nothing but their own purposes.

“Our striking in will comfort the Bohemians, will honour the Palsgrave, will strengthen the union, will bring on the States of the Low Countries, will stir up the king of Denmark,

ABBOT,
Abp. Cant.

and will move his two uneles, the prince of Orange, and the duke of Bovillon, together with Tremoville (a rich prince in France) to cast in their shares; and Hungary, as I hope (being in that same cause) will run the same fortune. For the means to support the war, I hope ‘providebit Deus:’ the parliament is the old and honourable way, but how assured at this time, I know not; yet I will hope the best: certainly, if countenance be given to the action, many brave spirits will voluntarily go. Our great master, in sufficient want of money, gave some aid to the duke of Savoy, and furnished out a pretty army in the cause of Cleve. We must try once again what can be done in this business of a higher nature, and all the money that may be spared, is to be turned that way. And perhaps God provided the jewels that were laid up in the Tower to be gathered by the mother for the preservation of her daughter; who like a noble princess hath professed to her husband, not to leave herself one jewel, rather than not to maintain so religious and righteous a cause. You see that lying on my bed, I have gone too far; but if I were with you, this should be my language, which I pray you humbly and heartily to represent to the king my master, telling him, that when I can stand, I hope to do his majesty some service herein. So commending

Cabbal. edit.
1691. p. 102.

“ Your very loving friend,
“ GEORG. CANT.”

720.

Thus the archbishop expressed his zeal, and I am willing to believe his conscience went along with it. But the king, who had better opportunities for pronouncing upon the merits of the cause, was of a different sentiment: he would by no means follow his son-in-law’s measures: he neither saluted him in his new title, nor suffered his being prayed for in churches in any higher distinction than that of prince Palatine.

*King James
refuses to
own his son-
in-law king
of Bohemia.*

Nov. 8,
A. D. 1620.

The defeat of this prince’s forces in a main battle at Prague, was followed by the loss of the Palatinates: insonuch, that the elector and the princess were forced to quit their own country, and retire into Holland.

On the 30th of January the king called a parliament, and opened the session with a speech. Some part of what his majesty delivered will acquaint us farther with his judgment

upon the Bohemian war, and may not be foreign to the sub- JAMES I.
ject in hand.

As to religion, the king remarks there were laws enough, provided the true meaning of them was pursued. "That the maintenance of religion consisted in two points, persuasion and compulsion, and that the latter method ought never to be used, but where the first proves unsuccessful. However, his majesty thinks the issue ought not to be wholly cast on the goodness of the cause: that error should be under restraint: and neither the Jesuits or Puritans be suffered to range at discretion." "And now," continues the king, "because a
The king censured for treating a match between his son prince Charles, and the infant of Spain.

rumour is spread, that I should tolerate religion in respect of this match, which has been long treated with Spain for my son; I profess I will do nothing therein which shall not be honourable, and for the good of religion: the trial which you have had of my works and writings, wherein I have been a martyr, tortured in the mouths of many idle fellows, may give you ample testimony of my integrity, in such a sort, as I hope you trust the wisdom of your king so far, as that I will never do one thing in private, and another thing in public: but if after this my declaration, any shall transgress, blame me not if I see them severely punished."

Having gone over this head, he tells them his chief motive for calling them together, was for furnishing supplies. And now to speak in his majesty's person and words, "The next
The king declares his dislike of the elector's accepting the crown of Bohemia, and why.

reason for meeting you here, is for an urgent necessity; the miserable and torn estate of Christendom; which none that hath an honest heart, can look on without a weeping eye. I was not the cause of the beginning thereof (God knows) but I pray God I may be a happy instrument of a happy ending the wars in Bohemia,—I mean, wherein the States expelled the emperor, and chose my son-in-law their king: I was requested at first by both sides to make an agreement between them: which cost me 3000*l*. in sending Doncaster on an embassy for that purpose. In the mean time they cast off all allegiance, and chose my son, who sent to me to know whether he should take the crown upon him or not; and yet, within three days after, before I could return my answer, took the crown on his head; and then I was loath to meddle in it at all for three reasons.

"First, I would not make religion the cause of deposing

ABBOT, kings. I leave that cause to the Jesuits, to make religion a
 Abp. Cant. cause to take away crowns¹.

“Next, I was not a fit judge between them: for they might after say to me, as the Egyptian said to Moses, ‘Who made thee a judge over us?’ And myself would not be content that they should judge whether I were a king or not.

“Lastly, Because I had been a meddler between them, and then to determine my son might take the crown upon him, had been improper; and yet I left not off so far, as nature compelled me, to admit his good, I permitted a voluntary contribution to preserve the Palatinate, which came to a great sum. For that purpose I borrowed also 75,000*l.* of my brother of Denmark, and have now sent to him to make it up 100,000*l.*” &c.

Annals of
King James,
p. 49.

The king thus frankly declaring himself, disgusted the English Puritans, and those of their persuasion abroad. But among the Lutherans and others, his preferring the regards of justice to interest and blood, gave a lustre to his honour, and gained him the reputation of a religious prince.

Archbishop
Abbot's mis-
fortune at
Bramzil-
park.

The next summer archbishop Abbot being invited by the lord Zouch to kill a buck at his park at Bramzil in Hampshire, met with a very calamitous accident. For shooting at a deer with a cross-bow, the keeper coming up unwarily too forward, was struck with the arrow under the left arm, and died about an hour after. The king, informed of this misfortune, and apprehensive scandal might be given, if the matter was passed over, resolved to have the case thoroughly examined. To this purpose the following letter was directed to the lord keeper Williams, the bishops of London, Winchester, Rochester, St. David's, and Exeter, sir Henry Hubbart, knight, chief justice of the Common Pleas, Mr. justice Dodderidge, sir Henry Martin, and Dr. Steward, or any six of them, whereof the lord keeper (then bishop of Lincoln) the bishops of London, Winton, and St. David's to be four.

The king's
letter to
several
bishops,
judges, &c.
to examine
the case.

“It is not unknown unto you what happened this last summer unfortunately to our right trusty, and our right well beloved counsellor, the lord archbishop of Canterbury; who shooting at a deer with a cross-bow in Bramzil-park, did with that shoot casually give the keeper a wound, whereof he died.

¹ James never missed an opportunity of censuring that sophistical argument which deprived his descendants of their royal prerogatives.

Which accident, though it might have happened to any other man, yet because his eminent rank and function in the Church, have (as we are informed) ministered occasion of some doubts, as making the case different in his person, in respect of the scandal (as is supposed), we therefore, being desirous (as it is fit we should) to be satisfied therein, and reposing especial trust in your learning and judgment, have made choice of you to inform us concerning the nature of the case: and do therefore require you to take it presently into your consideration, and the scandal that may have arisen thereupon: and to certify us, what in your judgments the same may amount unto, either to an irregularity, or otherwise. And lastly, what means may be found to redress the same (if need be): of all which points we shall expect to hear your reports, with what diligence and expedition you possibly may. Dated at Theobalds, 3d Oct. 1621."

JAMES I.
Archbishop
Saneroff's
Papers. See
Preface to
Reliq. Spelman.

To this letter the bishops and others, to whom the consideration of the archbishop's case was referred, returned their answer in these words:—

721.

"MAY IT PLEASE YOUR MAJESTY,

"Whereas we received a command from your majesty under your royal signet, to deliver our opinions unto your majesty, whether an irregularity or scandal might arise by this unfortunate act, which God permitted to come to pass by the hand of the most reverend father in God, the lord archbishop of Canterbury, shooting with a cross-bow at a deer in Bramzill-park; as also of the cure and remedy of the said irregularity, in case it should be so adjudged; we do in all lowliness and humility return this account to your majesty.

*Their
answer to
his majesty.*

"For the first,—Whether any irregularity be contracted by this act, in the person of my lord archbishop or not? No greater part of our number could assent or agree; because the canons and decrees themselves are so general and so ready to entertain distinctions and limitations, the doctors and glosses so differing, inferences and disputes so peculiar to every man's conceit and apprehension, authorities of canonists and casuists so opposite in this very case in hand; that we could not return unto your majesty any unanimous resolution or opinion in the same.

"For the second,—Whether any scandal may arise out of

ABBOT,
Abp. Cant.

this act? We are of opinion, a scandal may be taken by the weak at home, and the malicious abroad; though most of us believe there was no scandal given by the said right reverend father.

“For the third,—We are all agreed, not only that a restitution or dispensation may be granted by your majesty, either immediately under the great seal, or (which most of us in all humility represent unto your majesty) by the hands of some clergymen, delegated by your majesty for that purpose, or what other way your majesty shall be pleased to extend that favour. But withal, we are of opinion, that it is most fitting for the said reverend Father, both in regard of his person and the honour of the Church, to sue unto your most gracious majesty for the said dispensation ‘in majorem cautelam, si qua forte sit irregularitas.’ All which, craving pardon for our weakness, we do in all humbleness submit to the decision of your majesty’s profound and incomparable wisdom.

“Cir di. 10 Nov., 1621.

“JO. LINC. Elect. C. S.	VALEN. EXON, Elect.
GEO. LONDON.	HENR. HOBART,
LA. WINTON.	JO. DODDRIDGE,
JO. ROFFENS.	H. MARTEN,
GUIL. MENEVENS, Elect.	NY. STYWARDE.”

A. D. 1621.

*The arch-
bishop pro-
cures a dis-
pensation
from the
king for
preventing
exceptions to
his cha-
racter.*

The archbishop, governed by this advice, and applying to the king, his majesty directed a commission to the bishop of Lincoln, lord-keeper; to the bishops of London, Winchester, Norwich, Coventry, and Lichfield; to the bishops of Bath and Wells, Ely and Chichester, empowering them, or any six of them (of which the bishops of Lincoln, London, Winchester, and Norwich were to be of the quorum), to dispense with any irregularity, or suspicion of irregularity, in case the late accident had drawn any such blemish or imputation upon the archbishop. By this instrument, the canons, in case there was need, are overruled and dispensed with. The force of Abbot’s character is revived, and he is fully restored to the exercises of his function. This is a wonderful relief from the crown! And supposes a patriarchal at least, if not a papal authority, vested in the king! The record lays the death of the keeper upon his own rashness, and want of care; makes the homicide perfectly casual; states that the archbishop was in no degree to blame for the misfortune; and that this requesting his majesty

See Records,
num. 108.

for a dispensation, was only “ad cautelam, et ex superabundanti.” JAMES I.

And that the reader may better remark how far the dispensation reaches, he may please to observe, that irregularity lays the sacerdotal powers, as it were, asleep, forfeits all preferments, and makes the person incapable of any for the future.

To return. Besides the favourable report of the archbishop's case in the commission, there was a learned apology drawn up for him. *An apology written for archbishop Abbot.* The author proves hunting for health allowed clergymen. This point he makes good from several authorities, and disables some objections from the canon law. From hence he advances to prove that casual homicide sticks no blemish, nor incurs any irregularity, where the person committing it was engaged in no unlawful business or recreation, and took all necessary precaution to guard against accidents. That all this might be fairly pleaded in behalf of the archbishop, is not only taken for granted in the dispensation, but farther made out by this apologist. For instance: he takes notice, that the canon ‘de clerico venatore,’ cited in the decretum against the archbishop, has a mark of censure and unauthenticness put upon it by Gratian. He brings the gloss for evidence, that, whereas this canon is cited out of the 4th council of Orleans, there is no such thing there to be found. Thirdly. The pretended canon is levelled only against ‘clamosa venatio,’ but ‘quieta’ or ‘modesta’ is allowed by the canonists. Now this latter was the recreation in which the misfortune happened at Bramzil, as may be seen in the dispensing instrument. The apologist reinforces his argument by observing, that by 35 Hen. VIII. cap. 16, no canon is in force in England, which clashes with the laws and statutes of this realm, or the prerogative royal; and that the canon urged against Abbot is of this nature: for by Charta de Foresta, archbishops and bishops have express liberty to hunt. And that from 13 Rd. II. cap. 13, it follows by necessary implication, that a clergyman who has ten pounds per annum, or upwards, may keep greyhounds or hounds to hunt. And, to mention nothing farther from him, he argues, that Lindwood, who was very well skilled in the English ecclesiastical constitutions, condemns only the excesses of hunting in clergymen, and the undue application of that liberty; but does no where

ABBOT,
Abp. Cant.
Reliq. Spelman, p. 107,
et deince.
722.

pronounce it as absolutely unlawful for their profession. After this, he gives several instances of bishops who have used this diversion without censure or imputation.

And lastly. The famous sir Edward Coke, upon the question being put to him by sir Henry Saville, "Whether a bishop may hunt in a park by the laws of the realm?" answered affirmatively in these words: "He may hunt by the laws of the realm, by this very token, that there is an old law, that a bishop when dying is to leave his pack of dogs (called 'muta canum') to the king's free use and disposal."

To this apology there is an answer returned, as it is said, by sir Henry Spelman. But this discourse looks strained, and discovers something of a prosecuting humour; and I cannot help saying it falls short of that strength and candour customary to this learned gentleman. And therefore being a posthumous work, I would willingly believe some part of it, at least, was the product of another hand¹.

But notwithstanding the archbishop's recreation, and his precaution against misfortune, was defensible; yet his being excused the forms of law, and not brought to a trial for this casual homicide, was something remarkable. His being thus screened from customary prosecution is, I suppose, owing to the protection of the dispensation above-mentioned.

This year, John King, bishop of London, departed this life. His father was page to king Henry VIII., and descended from the Saxon kings in Devonshire. Sir Edward Coke gives him the character of the best speaker in the Star-chamber in his time. He had been dean of Christ-church, and, as hath been observed, was one of the four preachers at the Hampton-court conference. He was an exemplary prelate, and had a good talent for the pulpit. His lectures upon Jonas, and several sermons, are in print. After his death, his memory was ill-used by one George Fisher, *alias* Musquet, who published a book, entitled "The Bishop of London his Legacy; or, Certain Motives of Dr. King, Bishop of London, for his Change of Religion, and Dying in the Catholic and Roman Church: with a conclusion to his Brethren the Bishops of England. Printed, *permissu Superiorum*, in the Year 1621." But that this nar-

¹ That hunting has been a custom among clergymen is clear from history, but most considerate men agree with Spelman, that it is a custom more honoured in the breach than in the observance.

Id. p. 111.

Stow's
Survey of
London,
p. 575.

rative was all falsehood, the bishop's son, Henry King, declared JAMES I.
soon after in a sermon preached at Paul's-cross. The forgery
is likewise detected by Godwin, bishop of Hereford, in the
appendix to his "Commentarius de Præsulibus Angliæ,"
printed 1622. And lastly, the calumny is refuted by John
Gee, in a tract of his, called "The Foot out of the Snare." Cap. 12.

About this time, Dr. Laud was preferred to the see of St. David's, at the recommendation, it is said, of bishop Williams. *Dr. Laud made bishop of St. David's.*
There had been some clashing, as has been already related, See Archbishop Laud's Diary, p. 4.
between Laud and Robert Abbot, divinity-professor in Oxford, and afterwards bishop of Salisbury. And because Laud appeared on the Remonstrants' side in the Quinquarticular controversy, Rushworth endeavours to represent him as popishly affected. But his learned book against Fisher, to mention nothing more, is enough to confute this calumny.

And now to give a smoother course to the treaty of the Spanish match, and procure better quarter for the Protestants in Roman Catholic countries, the king thought fit not to insist on the rigour of the laws, but discharged some popish recusants upon their giving sufficient securities for appearance and good behaviour. To this purpose, the lord-keeper was ordered to write to the judges to this effect:— *Recusants discharged out of prison upon sufficient security.*

"That the king, having upon deep reasons of State, and in expectation of the like correspondence from foreign princes to the professors of our religion resolved to grant some grace to the imprisoned Papists, had commanded him to pass some writs under the broad seal for that purpose. Wherefore it is his majesty's pleasure, that they make no niceness or difficulty to extend his princely favour to all such as they shall find prisoners in the gaols of their circuits, for any Church recusancy, or refusing the oath of supremacy, or disposing of popish books, or any other point of recusancy that shall concern religion only, and not matters of State." *The lord-keeper Williams' letter to the judges.*

But this lenity being not generally well received, the lord-keeper, in another letter to the judges, endeavours to prevent misconstruction, and justifies the king's conduct more at large. *Annals of King James, Rushworth's Collections, vol. 1.*
The letter runs thus:—

"As the sun in the firmament appears to us no bigger than a platter, and the stars are but as so many nails in the pummel of a saddle, because of the enlargement and disproportion between our eye and the object; so is there such an unmeasurable distance between the deep resolution of a prince, and *Another letter of the lord-keeper's to the judges to justify the government.*

ABBOT,
Abp. Cant.

the shallow apprehensions of common and ordinary people, that as they will ever be judging and censuring, so they must needs be obnoxious to error and mistaking. The king is now a most zealous intercessor for some ease and refreshment to all the Protestants in Europe, which were unreasonable, if he did now execute the rigour of his laws against the Roman Catholics.

“Our viperous countrymen, the English Jesuits in France, had, many months before the favour granted, invited the French king, by writing a malicious book, to put all the statutes in execution against the Protestants in those parts, which were enacted in England against the Papists, and (as they falsely informed) severely executed. Besides, these Papists are no otherwise out of prison, than with their shackles about their heels, under sufficient sureties, and good recognizances, to present themselves at the next assizes: and their own demeanour, and the success of his majesty’s negotiations, must determine whether they shall continue in this grace.

“But to conclude, from the favour done to the English Papists, that the king favours the Romish religion, is a composition of folly and malice, little deserved by a gracious prince, who by word, writing, exercise of religion, and acts of parliament, hath demonstrated himself so resolved a Protestant.”

As for his own letter to the judges, he said, “It recited only four kinds of recusancy, capable of the king’s clemency, not so much to include them, as to exclude many other crimes, bearing the name of recusancy; as, using the function of a Romish priest, seducing the king’s liege people from the established religion, aspersing the king, Church, or State, or the present government.

“All which offences, being outward practices, and no secret motions of the conscience, are adjudged by the law of England to be merely civil and political, and are excluded by the letter from the benefit of those writs.”

The Quinquarticular controversy growing warm, and breaking the people into parties, the king wrote to archbishop Abbot, and sent the following directions for the clergy:—

723.
*The king’s
letter to the*

“Most reverend father in God, right trusty and entirely beloved counsellor, we greet you well. Forasmuch as the abuses and extravagancies of preachers in the pulpit have been

in all times suppressed in this realm by some act of council or state, with the advice and resolution of grave and learned prelates; insomuch that the very licensing of preachers had the beginning by an order of Star-chamber, the 8th day of July, in the nineteenth year of the reign of King Henry VIII., our noble predecessor: and whereas at this present divers young students, by reading of late writers and ungrounded divines, do broach many times unprofitable, unsound, seditious, and dangerous doctrines, to the scandal of the Church and disquiet of the State and present government. We, upon humble representation unto us of these inconveniences by yourself, and sundry other grave and reverend prelates of this Church, as also of our princely care and zeal for the extirpation of schism and dissension growing from these seeds, and for the settling a religious and peaceable government, both in Church and commonwealth, do by these our special letters, straitly charge and command you to use all possible care and diligence, that these limitations and cautions herewith sent unto you concerning preachers, be duly and strictly from henceforth put in practice, and observed by theseveral bishops within your jurisdiction. And to this end our pleasure is, that you send them forthwith copies of these directions, to be by them speedily sent and communicated unto every parson, vicar, curate, lecturer, and minister in every cathedral or parish church within their several dioceses; and that you earnestly require them to employ their utmost endeavours in the performance of this so important a business; letting them know that we have a special eye unto their proceedings, and expect a strict account thereof, both from you and every of them. And these our letters shall be your sufficient warrant and discharge in that behalf.

JAMES I.
archbishop
of Canter-
bury.

“Given under our signet at the castle of Windsor, &c.”

His Majesty's directions for the preachers are these:—

“I. That no preacher under the degree and calling of a *His Majesty's* bishop, or dean of a cathedral or collegiate church, (and they *directions to* upon the king's days and set festivals,) do take occasion by the *the pulpits*, expounding any text of Scripture whatsoever, to fall into any set discourse or common-place, otherwise than by opening the coherence and division of the text, which shall not be comprehended and warranted in essence, substance, effect, or natural

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inference, within some one of the articles of religion set forth one thousand five hundred and sixty-two, or in some of the homilies set forth by authority of the Church of England; not only for a help for the non-preaching, but withal for a pattern and boundary (as it were) for the preaching ministers. And for their farther instructions for the performance hereof, that they forthwith read over and peruse diligently the said book of articles, and the two books of homilies.

“ II. That no parson, vicar, curate, or lecturer, shall preach any sermon or collation hereafter upon Sundays or holy-days in the afternoon, in any cathedral or parish church throughout the kingdom, but upon some part of the Catechism, or some text taken out of the Creed, Ten Commandments, or the Lord’s Prayer (funeral sermons only excepted): and that those preachers be most encouraged and approved of who spend the afternoon’s exercise in the examination of children in their catechism, which is the most ancient and laudable custom of teaching in the Church of England.

“ III. That no preacher of what title soever under the degree of a bishop, or dean at the least, do from henceforth presume to preach in any popular auditory the deep points of predestination, election, reprobation, or of the universality, efficacy, resistibility, or irresistibility of God’s grace; but leave those themes rather to be handled by the learned men, and that moderately and modestly by way of use and application, rather than by way of positive doctrines, being fitter for the schools than for simple auditories.

“ IV. That no preacher of what title or denomination soever from henceforth shall presume, in any auditory within this kingdom, to declare, limit, or bound out, by way of positive doctrine, in any lecture or sermon, the power, prerogative, and jurisdiction, authority or duty of sovereign princes, or otherwise meddle with matters of state, and the differences between princes and the people, than as they are instructed and preceded in the homilies of obedience, and the rest of the homilies and articles of religion set forth (as before is mentioned) by public authority, but rather confine themselves wholly to those two heads of faith and good life which are all the subject of the ancient sermons and homilies.

“ V. That no preacher of what title or denomination soever shall presume causelessly, or (without invitation from the

text) to fall into bitter invectives, and indecent railing speeches against the persons of either Papists or Puritans, but modestly and gravely, when they are occasioned thereunto by the text of Scripture, free both the doctrine and the discipline of the Church of England from the aspersions of either adversary, especially where the auditory is suspected to be tainted with the one or the other infection. JAMES I.

“ VI. Lastly, That the archbishops and bishops of the kingdom (whom his majesty hath good cause to blame for their former remissness,) be more wary and choice in their licensing of preachers, and revoke all grants made to any chancellor, official, or commissary, to pass licenses in this kind. And that all the lecturers throughout the kingdom of England (a new body severed from the ancient clergy as being neither parsons, vicars, nor curates¹,) be licensed henceforward in the court of faculties, by recommendation of the party from the bishop of the diocese, under his hand and seal, with a fiat from the lord archbishop of Canterbury, and a confirmation under the great seal of England: and that such as do transgress any one of these directions be suspended by the bishop of the diocese, or in his default, by the archbishop of the province, *ab officio et beneficio*, for a year and a day, until his majesty, by the advice of the next convocation, shall prescribe some farther punishment.”

The King's
Directions,
A.D. 1622.

These directions were looked on as a reflection on the discretion, and an unusual restraint of the clergy. To take off this imputation of rigour, and explain the king to a more inoffensive sense, the lord-keeper Williams wrote the bishop of London the following letter :—

724.

“ MY VERY GOOD LORD,

“ I doubt not before this time you have received from me the directions of his most excellent majesty concerning preaching and preachers, which are so graciously set down, that no godly or discreet man can otherwise than acknowledge that they do much tend to edification, if he take them not up upon report, but do punctually consider the tenor of the words as they lie, and doth not give an ill construction to that which

The lord-
keeper Wil-
liams' letter
to the bishop
of London
for explain-
ing these
directions.

¹ Perhaps the number of lecturers and chaplains might be extended with great advantage during the present times. Were some of the scholastic and expensive steps to ordination and licence more frequently dispensed with, the Church would gain a strong accession of piety and talent from men who are now forced into hostile positions.

ABBOT,
Abp. Cant.

may receive a fair interpretation. Notwithstanding, because some few churchmen, and many of the people, have sinisterly conceived, as we here find, that those instructions do tend to the restraint of the exercise of preaching, and do in some part abate the number of sermons; and so consequently by degrees do make a breach to ignorance and superstition; his majesty in his princely wisdom hath thought fit that I should advertise your lordship of the grave and weighty reasons which induced his highness to prescribe that which was done.

“ You are therefore to know that his majesty, being much troubled and grieved at the heart to hear every day of so many defections from our religion, both to popery and anabaptism, or other points of separation in some parts of this kingdom: and considering with much admiration what might be the cause thereof, especially in the reign of such a king, who doth so constantly profess himself an open adversary to the superstition of the one, and madness of the other,—his princely wisdom could fall upon no one greater probability than the lightness, affectedness, and unprofitableness of that kind of preaching, which hath been of late years too much taken up in court, university, city, and country.

“ The usual scope of very many preachers is noted to be soaring up in points of divinity, too deep for the capacity of the people; or mustering up of so much reason, or displaying of their own wit, or an ignorant meddling with civil matters, as well in the private several parishes and corporations, as in the public of the kingdom, or a venting of their own distastes, or a smoothing up those idle fancies (which when the text shall occasion the same, is not only approved but much commended by his royal majesty), both against the persons of Papists and Puritans.

“ Now the people bred up with this kind of teaching, and never instructed in the catechism and fundamental grounds of religion, are for all this airy nourishment no better than a brass tabret; new table-books to be filled up either with manuals and catechisms of the popish priests, or the papers and pamphlets of Anabaptists, Brownists, and Puritans.

“ His majesty, therefore, calling to mind the saying of Tertullian, ‘ id verum quod primum;’ and remembering with what doctrine the Church of England, in her first and most happy reformation, did drive the one and keep out the other from poisoning and infecting the people of this kingdom, doth find that

the whole scope of this doctrine is contained in the articles of religion, the two books of homilies, the lesser and greater catechism, which his majesty doth therefore recommend again in these directions as the themes and proper subjects of all sound and edifying preaching. JAMES I.

“And so far are these directions from abridging, that his majesty doth expect at our hands that it should increase the number of sermons, by renewing every Sunday, in the afternoon, in all parish churches throughout the kingdom, that primitive and most profitable exposition of the catechism, where-with the people, yea very children, may be timely seasoned and instructed in all the heads of Christian religion; the which kind of exposition (to our amendment be it spoken) is more diligently observed in all the reformed churches of Europe than of late it hath been in England. I find his majesty much moved with this neglect, and resolved (if we that are bishops do not see a reformation thereof, which I trust we shall,) to recommend it to the care of the civil magistrate: so far is his highness from giving the least discouragement to solid preaching, or discreet and religious preachers.

“To all these I am to add, that it is his majesty’s princely pleasure, that both the former directions, and those reasons of the same, be fairly written in every register’s office, to the end that every preacher, of what denomination soever, may, if he be so pleased, take out copies of either of them with his own hand, gratis, paying nothing in the name of fee or expedition. But if he does use the pains of the register or the clerk, then to pay some moderate fee, to be pronounced in open court by the chancellor and commissaries of the place, taking the direction and approbation of my lords the bishops.

“Lastly, That from henceforward a course might be taken, that every parson, vicar, curate, or lecturer, do make and exhibit an account for the performance of these his majesty’s directions, and the reasons for the same, at the ensuing visitation of the bishops and archdeacons, paying to the register sixpence for the exhibiting. And so wishing, but withal, in his majesty’s name, requiring your lordship to have a special and extraordinary care of the premises, I leave you to the Almighty.

“Your very loving friend,

Cabbala, &c
p. 106.

“September 3rd, 1622.”

“J. LINCOLN, C.S.

ABBOT,
Abp. Cant.

2 Kings xix.
9.

*Paræus's
doctrine
of resistance
solemnly
condemned
by the uni-
versity of
Oxford.*

And now I must go back to the spring, and report a remarkable occurrence which happened at Oxford. One Mr. William Knight, of Broadgate's-hall, preaching on Palm-Sunday, at St. Peter's-in-the-East, preached upon these words: "What dost thou here, Elijah?" From hence discoursing on the persecution the prophet lay under, and the means he had used to disentangle himself, he came at last to this question, "Whether it was lawful for subjects, when harassed on the score of religion, to take arms against their prince in their own defence?" And being so hardy as to hold the affirmative, the vice-chancellor, Dr. Pearce, sent for him, ordered him to deliver his notes, and to discover those who put him upon preaching this extraordinary doctrine, and who he had pre-acquainted with this business before he came into the pulpit.

To these interrogatories Knight returned answer, that as to the doctrine, he followed the opinion of Paræus, now divinity professor at Heidelburgh, who, in his comment on the thirteenth chapter of the Epistle to the Romans, has directly asserted the same thing: but his principal authority, he said, was king James, who, he understood, was going to send the Rochellers a reinforcement against their own prince. As to the other question, he told the vice-chancellor he had made nobody privy to his sermon, excepting Mr. Herbert, vicar of Radley, near Abingdon, and Mr. Code, of his own house.

Upon this examination, Knight and his two abettors were committed. And immediately after the vice-chancellor wrote to Laud, bishop of St. David's, and gave him an account of what had passed. Laud went to the king, and laid the letter before him. Upon this his majesty ordered Knight and his sermon to be brought up; who being examined at the council-board, and returning the same answer he had given the vice-chancellor, was sent to the gate-house.

725.

April 24,
A.D. 1622.

And now the king wrote to the vice-chancellor, "commends him for his care in imprisoning Knight, Herbert, and Code, requiring him not to discharge the two latter till farther order. The vice-chancellor was likewise commanded to appoint a meeting of the presidents and heads of colleges and halls, and put them in mind of the direction sent thither some few years since by his majesty; that is, that those who designed to make divinity their profession should chiefly apply themselves to the

study of the Holy Scriptures, of the councils, and fathers, and the ancient schoolmen; but as for the moderns, whether Jesuits or Puritans, they should wholly decline reading their works.” JAMES I.

And to prevent young students being debauched with this doctrine of Paræus, the king and council ordered his comment to be burnt; but before this was done, this book, and others of resembling principles, were censured by all the bishops then in London: these prelates declared themselves fully upon the occasion, and condemned the proposition maintained by Knight as plainly seditious, contrary to the tenor of the Holy Scriptures, the sentiments of the ancient fathers, and utterly repugnant to the doctrine and constitutions of the Church of England.

On the last of May the king sent down an order, signed by fourteen of the privy council, for searching the public and private libraries and booksellers' shops at Oxford; the design was to seize all the copies of Paræus's comment above-mentioned. These books being brought to the vice-chancellor, June 6. were publicly burnt in St. Mary's church-yard; and much about the same time they were burnt at St. Paul's-cross, London, and at Cambridge.

But Oxford went further in defence of the honour and orthodoxy of that university. To this purpose an extract was made of Paræus's assertions on the questions above-mentioned, read at a public convocation, and censured by the heads, doctors, and masters, in the manner following. And here I shall give the reader Paræus's propositions by themselves, as they stand transcribed by Wood from the university records.

Paræus, his First Proposition.

“It is lawful for bishops and pastors, with the consent of the Church, to deliver wicked and unjust magistrates to Satan; and that they ought to proceed thus far in case the magistrates prove contumacious.”

The Censure.

“This proposition is erroneous, inipious, and subversive of civil government.”

ABBOT,
Abp. Cant.

The Second Proposition.

“Subjects, not private ones, but placed in subordinate magistracy, may lawfully make use of force, and defend themselves, the commonwealth, and the true religion, in the field against the chief magistrate, within the cases and conditions following :—

“First, When the chief magistrate turns tyrant.

“Secondly, When he either forces them, or any of their fellow-subjects, upon blasphemy or manifest idolatry.

“Thirdly, When any heavy pressure is laid upon them by the government.

“Fourthly, When resistance is the only expedient to secure them their lives, their fortunes, and liberty of conscience.

“But then, fifthly, They are to take care not to make religion and justice a colour for interest and private ambition.

“And, sixthly, They must always manage within the rules of moderation and temper, and do nothing unwarrantable by law.”

The Censure.

“This proposition is false and seditious; and the conditions annexed are only thrown in for a varnish to rebellion, and to give an handle for an insurrection to be carried on with a better grace.”

The Third Proposition.

“Subjects altogether private, and who have no share in the magistracy, in case they may be protected by those in the administration, that is, by those in authority under the government; such private subjects, without a lawful call, have no authority to make use of a sword to attack a tyrant, either by way of prevention, or to defend themselves from actual oppression and outrage; or to revenge themselves for what they have suffered already.”

The Censure.

“This assertion goes upon a false supposition, and is scandalous, insidious, and treasonable.”

The Fourth Proposition.

“ When a tyrant manages like a highwayman, and commits an open rape, as it were, upon privilege and property ; in this case, subjects, though under the most private capacity, when they are in no condition of applying to the subordinate magistracy, nor in any possibility of avoiding the danger, may lawfully make use of force, defend themselves and their friends against the insults of the tyrant, and treat him in the character of one that goes upon the road.”

The Censure.

“ The proposition is false, dangerous, and wicked.”

And, to prevent the spreading of such pestilent principles for the future, the following provision and decree were past in the convocation :

Wood's
Hist. et
Antiq. Uni-
vers. Oxon.

“ First, That by the doctrine of the Holy Scriptures, it is in no case lawful for subjects to make use of force against their prince, nor to appear offensively or defensively in the field against the king, either upon the score of religion, or any other account whatever.

“ Secondly, That all the doctors and masters, the bachelors of law and physic, in the university of Oxford, shall subscribe the censure and decree above-mentioned.

“ Thirdly, That all persons to be promoted to any degree shall subscribe these censures, and at the same time take their corporal oath, that they do not only at present condemn and detest the propositions above-mentioned, but that they shall always continue of the same opinion.”

The oath follows ; the reader shall have it in the language it is penned :

“ Tu jurabis te ex animo et bona fide consentire decreto convocationis habitæ die Martis, viz. vicesimo quinto die Junii anno Dom. cxcclxxii. super quibusdam propositionibus, falsis, seditiosis, impiis, et ibidem damnatis, et quod nullam prædictarum conclusionum, earumve sententiam docebis, defendes vel tenebis publice aut occulte neque aliquam hujus-

ABBOT,
Abp. Cant.

modi doctorem vel defensorem ope, consilio vel favore juvabis, sed quantum in te est impediēs, ita te Deus adjuvet, tactis sacro sanctis Dei evangeliis."

And that Knight's doctrine might not revive upon the scholars, an order was made at the same convocation, that the king's directions above-mentioned, for the regulating their studies, should be hung up in the college chapels, and other public places. And from this time Calvin's authority began to decline in the university. He was not now consulted as their oracle, nor taken upon content as formerly. And as Calvin's authority sunk, the doctrines of the Church of England emerged, and the Fathers recovered a just esteem.

Id. p. 328.

*The king's
care that the
English
Reformation
should not
receive any
prejudice by
the Spanish
match.*

The Spanish match, already mentioned, being somewhat interwoven with the history of religion, I shall touch briefly upon that affair. In February last, Charles, prince of Wales, embarked at Dover, and landed at Bologne in Picardy. He passed through France *incognito*, being attended with no person of condition, excepting George, marquis of Buckingham; Mr. Endymion Porter, and Mr. Francis Cottington. His curiosity carried him to the French court, where he had a view of the princess Henrietta Maria, whom he afterwards married. His quality being soon discovered through his disguise, the French king sent after him, with orders to bring him back; but the prince had passed Bayonne, and entered the Spanish territories before the messengers could reach him; and then, riding post to Madrid, he came to the English ambassador's house before the Spaniards were apprized of his coming. The lady courted by the prince was the infanta Maria, third daughter to king Philip III., and sister to Philip IV. And that no disadvantage might happen to the English Reformation by this alliance, was carefully provided by the king, as appears by his instructions to his ambassador Digby. "The matter of religion," says the king, "is to us of most principal consideration; for nothing can be to us dearer than the honour and safety of the religion we profess. And therefore seeing that this marriage (if it shall take place) is to be with a lady of a different religion from us, it becomes us to be tender, as on the one part to give them all satisfaction convenient, so on the other to admit nothing that may blemish our conscience, or detract from the religion here established."

As for the prince, he had been under the king's instructions JAMES I.
 so long, and was so well fortified, that his father was under
 no apprehensions of his being surprised into a foreign belief;
 the king thought him well prepared to maintain his ground,
 and stand the shock of a conference, as appears by his majesty's
 discourse to Maw and Wren, the prince's chaplains. These
 divines, when they went to wait upon the king for his com-
 mands, how they were to manage at the court of Madrid, he
 advised them, amongst other things, not to engage unneces-
 sarily in religious controversy, but to act defensively in case of
 a challenge. And when it was answered they should have no
 motive to enter upon such disputes, in regard there would be
 no indifferent judge, or moderator, between them; the king
 replied, "That Charles should moderate between them and
 the opposite party." And when one of them seemed to smile
 upon the other, the king told them, "That Charles should
 manage a point in controversy with the best studied divine of
 them all; and that he had trained up George so far, as to hold
 the conclusion, though he had not yet made him able to prove
 the premises."

And, that a face of the Church of England might appear,
 and the worship be kept up in the prince's apartment at
 Madrid, the king gave the chaplains above-mentioned the
 following instructions:

"I. That there be one convenient room appointed for *His ma-*
 prayer; the said room to be employed, during their abode, to *jesty's direc-*
 no other use. *tions for the*
English

"II. That it be decently adorned chapel-wise, with an altar, *service in*
 fonts, palls, linen coverings, demy carpets, four surplices, *the prince's*
 candlesticks, tapers, chalices, patens, a fine towel for the prince, *family at*
 other towels for the household, a traverse of waters for the *Madrid.*
 communion, a bason and flagons, and two copes."

"III. That prayers be duly kept twice a day: that all re-
 verence be used by every one present, being uncovered, kneel-
 ing at due times, standing up at the Creeds and Gospel, bowing
 at the name of Jesus."

"IV. That the communion be celebrated in due form, with
 an oblation of every communicant, and admixing water with
 the wine; the communion to be as often used as it shall please

ABBOT, the prince to set down: smooth wafers to be used for the bread.

“ V. That in the sermons there be no polemical preachings to inveigh against Papists, or to confute them, but only to confirm the doctrine and tenets of the Church of England, by all positive arguments, either in fundamental or moral points; and especially to apply themselves in moral lessons to preach Christ Jesus crucified.

“ VI. That they give no occasions (or rashly entertain any) of conference or dispute, (for fear of dishonour to the prince, if upon any offence taken, he should be required to send away one of them :) but if the lord ambassador, or Mr. Secretary, wish them to hear any that desire some information, then they may safely do it.

“ VII. That they carry the articles of our religion in many copies, the Book of Common Prayer in several languages, store of English service books; and the king's own works, in English and Latin.”

By these instructions, the reader may perceive how careful the king was to guard on the side of religion; and that he was far from any intention of disserving the English communion, or laying a train to make his son a proselyte to the Church of Rome. And yet the ignorance, or malice, of some people did not stick to misinterpret the prince's voyage to such a design. But to take leave of this subject, till the order of time calls for it, I shall begin the next year with an account of the dismission of the archbishop of Spalato. This prelate, Marcus Antonius de Dominis, was a person thoroughly acquainted with the writings of the ancients: his skill in ecclesiastical antiquity helped him to discover several innovations in the doctrine and worship of the Church of Rome; and being apprehensive the declaring his exceptions might draw a persecution upon him, he quitted his see of Spalato, in Dalmatia, and in the the year 1616 retired for shelter to England. At his arrival he had a very honourable reception, both in the universities and at court. The king recommended him as a guest to archbishop Abbot; and here, in the chapel at Lambeth, he assisted at the consecration of some English bishops. Afterwards his majesty preferred him to the mastership of the Savoy, and the

*A brief account of
Antonius de
Dominis,
bishop of
Spalato.
A.D. 1623.*

deanery of Windsor. However, it is very unlikely his coming to England could proceed from a covetous fancy, as Fuller conjectures: for his fortune was well established at home, and there was very little prospect of mending it in a strange country. During his stay here, he published his learned book “De Republica Ecclesiastica,” which received no answer. His coming off from popery gave the court of Rome no small disturbance. But his pen afterwards attacking them with such vigour and success, doubled their misfortune.

JAMES I.

727.

Being thus provoked, some of that communion made no difficulty to throw calumnies upon him: to misreport the reasons of his coming over, and make it the result of fear and declension of interest. But their pamphlets of this strain finding little credit, they applied to smother expedients: they procured agents to suggest, that he had neither any regard or promotions suitable to his merit: that the new pope Gregory had a particular esteem for him: that provided he would return, he might make his own terms, and choose his station. On the other hand, Gundamore, the Spanish ambassador, lessened his reputation, and brought him into disfavour with the king and the English clergy. And thus being, as it were, abandoned by his new protection, he hearkened to the proposals of the Roman Catholics: and having brought himself to a resolution to disengage here, he solicited his majesty in several letters for leave to quit the kingdom. The king being displeased with his irresolution, directed a commission to archbishop Abbot, to the lord keeper Lincoln, to the bishops of London, Durham, and Winchester, with several lords of the privy-council, to dispose of him as they thought fit. These lords meeting at Lambeth, after having heard his excuses for going off, ordered him to depart the realm within twenty days: that otherwise he must expect to be punished for holding intelligence by message and letters with the popes of Rome. To this sentence he submitted with regret, openly protesting he would never maltreat the Church of England, nor speak reproachfully of her: that her articles stood clear of heresy, and were all serviceable and sound. That he declared thus much, appears by a book, entituled, “Spalato’s Shiftings in Religion,” published, as it was supposed, by the then bishop of Durham.

He is reconciled to the Church of Rome.
Fuller’s Church Hist. lib. 13.

Heylin.
Cyprian.
Anglic.

But he failed in keeping his word; for being arrived at

ABBOT,
Abp. Cant.

Spalato's
Book, called
"Concilium
Reditus."

*He is disap-
pointed, and
ventures
upon in-
civilius
freedoms.*

*He is impris-
oned, dies
in confine-
ment, and
his corpse is
burnt for a
heretic.
Fuller's
Ch. Hist.
book 19.*

*The prince
of Wales
caressed at
the court of
Madrid, but
continues
steadily in his
religion.*

Brussels, he recants the English reformation, treats that communion with rough language, and calls his coming hither a senseless unhappy voyage: and that it was inconsistency, weakness, and passionate disgust, which brought him to that fancy. He stayed six months at Brussels for the pope's brief, which was at last refused. Thus he was forced to venture to Rome without any safe-conduct in writing. He missed the expectation of a bishopric, and lived only on a pension from his holiness. This maintenance, though continued during the life of pope Gregory XV., was stopped by his successor Urban VIII. This disappointment being resented by Spalato, made him venture on some dangerous freedoms, and talk pretended heresy: particularly being at supper with one cardinal Clesel, an old acquaintance, he happened to drop this expression, "That no Catholic had answered his books. 'De Republica Ecclesiastica;'" adding however, "that himself was able to deal with them." It is thought this Clesel was disgusted by Spalato's declining to apply to him for recovering his interest at the court of Rome: and that he invited this prelate to an entertainment on purpose to lay a train of discourse, and draw him into a snare. But let this be as it will, he was immediately imprisoned, his study searched, and several papers found amounting to heresy. He died some months after his confinement, and, as some said, by violence. But his own relations at Venice gave other intelligence to Fuller, and affirmed he died a natural death; and that four of the pope's sworn physicians, upon viewing the corpse, gave in evidence upon oath, that there was no mark of foul play found upon him. However, the dead bishop passed through the forms of the inquisition, and was pronounced a relapsed heretic. After this sentence, the corpse was publicly burnt by the executioner in the field of Flora.

When the prince of Wales arrived first at Madrid, that court was not without hopes of making him a proselyte to their communion: to this purpose he was strongly solicited by some of the first quality. Some of the most learned priests and Jesuits likewise made a trial this way. To gain their point they employed all their rhetoric and finesse, caressed his highness with speeches, dedicated books to him, invited him to their solemn processions, gave him a view of their churches most famous for magnificence and miracles, and

treated him with all imaginable regard. Neither was the pope wanting to improve the favourable juncture. To this purpose, he wrote to the prince; and after having flourished upon his personal merit, and commended his predecessors for their piety and regard to the apostolic see,—he invited him to follow their example, and come over to their belief. The letter is penned in a moving strain of affection and respect, and concludes with his holiness's good wishes for the prince's prosperity.

JAMES I.

Cyprian.
Anglic.
Rushworth's
Collections.
vol. 1. p. 78.
April 20,
A.D. 1623.

The prince having put himself in the king of Spain's power, had a very difficult business to manage; besides, without the pope's dispensation for the marriage, he knew the treaty must miscarry. His highness therefore, to keep the pope (Gregory XV.) upon something of an expectation, sent him a ceremonious answer, promised to manage with moderation, not to proceed to extremities against the Roman Catholic religion, but rather to govern in such a manner as might show his inclination towards a coalition between both Churches. But here the letter was couched in such general expressions, and guarded with such latitude and reserve, that the prince could not be charged with any breach of promise for advancing no farther. In short, notwithstanding all the caresses of the pope and the Spanish court, the prince, as even Rushworth confesses, continued firm to his religion.

June 20.

Id. p. 83.

King James began now to repent the prince's voyage to Spain without the security of a safe-conduct. And therefore to recover this wrong step, and dispose the pope for a dispensation, he found it necessary to be more than usually kind to the English Roman Catholics. Upon this view the Jesuits and priests of that communion, formerly imprisoned, were discharged, all prosecutions against recusants were stopped, and the penal laws against them suspended. This gentle usage was misinterpreted, and clamoured against: the government was arraigned of partiality, and the king complained of as if he intended to go farther in these measures, and come up to a full toleration. And that these jealousies might not seem groundless, a letter was dispersed under archbishop Abbot's name, as Heylin reports, though the Cabbala makes it written by the archbishop of York. The letter is penned in a warm expostulatory strain, and goes to some extremities of coarse language. This remonstrance charges the king with a design

An expostulatory letter sent to the king.

Heylin.
Cyprian.
Anglic.
Cabbala,
p. 108.

728.

Mathews,
then arch-
bishop of
York.

ABBOT,
Abp. Cant.

of setting up a toleration by proclamation: that this method is arbitrary and illegal, and may be attended with terrible consequences. In short, he that wrote the letter takes so much freedom in the manner, that it may be well questioned whether the privilege of his character can bear him out. The learned Heylin is of opinion the letter was none of Abbot's. That this prelate had penetration enough to see through the necessity of the juncture; that he was better acquainted with the king's temper and principles than to suspect him of making any near approaches to the Church of Rome; and that a regard to his ecclesiastical supremacy would keep him impregnable at this quarter.

July 26,
*The articles
of marriage
sworn by
both the
kings.*
Cyprian.
Anglic.
Rusliworth.

The marriage treaty went smoothly forward, and the articles were sworn by the kings of England and Spain. The infanta was called the princess of England at the court of Madrid, and preparations made for her voyage into England in March following; but the treaty for restoring the palatinate hung backwards all this while. It is said the infanta undertook the adjusting of that affair, to make herself more acceptable to the English. However, this being a matter of too great moment to be left merely to courtesy, the prince declined proceeding to the nuptial solemnity, wrote to the king for a squadron of men-of-war to convey him to England; and, to avoid giving umbrage, he went on with his courtship with rather more application than formerly, made the infanta a rich present in jewels, took his leave of the Spanish court, and embarked on the 4th of August. At his going away, he constituted a proxy to espouse the lady, and put the instrument executed into the earl of Bristol's hands, then the English ambassador. The ambassador had likewise orders to deliver the writing to the king of Spain within ten days after the coming of the dispensation from the new pope, Urban VIII.; but when the prince was on board, and out of the Spaniards' reach, he dispatched an express to Bristol, commanding him not to part with the proxy till farther instructions. His highness arrived at Portsmouth on the 5th of October. His return was every where welcomed with bonfires, and other marks of public satisfaction. And being come to the king at Royston, he acquainted his majesty that, though the match went forwards, they could get no assurances for restoring the palatinate. Upon this, the king sent orders to the earl of Bristol not to

A.D. 1623.

*The prince
arrives in
England.*

*The mar-
riage treaty
breaks off,
and why.*

deliver up the proxy, nor to proceed to the espousals till JAMES I.
 Christmas; and, in the mean time, to insist upon the business
 of the palatinate, and press the king of Spain to a categorical
 answer. The pope did his part to expedite the matter, wrote
 a caressing letter to the prince of Wales, and sent his dispen-
 sation to Madrid in the beginning of December. When this
 papal brief for the marriage came to the Spanish court, that
 king ordered bonfires to be made in all parts of his dominions,
 and appeared willing to contribute his share towards the last
 solemnity.

But the treaty concerning the palatinate not keeping pace Feb. 17,
 with the other, a parliament met at Westminster in February. A. D. 1623-4.
 And here the duke of Buckingham reported, if not misreported,
 the proceedings of the Spanish court to disadvantage; that
 the prince had not been handsomely dealt with; that they had
 thrown in unnecessary delays; refused to give satisfaction in
 the affair of the palatinate, and sent his highness back without
 the infanta. Upon this, it was resolved by both houses, that *The parlia-*
 his majesty should be addressed to break off the treaty with *ment en-*
 the king of Spain, and to commence a war for recovering the *gage to*
 palatinate. And here they promised to support the king and *support the*
 the prince in the expence of the enterprise. Upon this encour- *king and*
 ragement, the king disengaged with Philip IV., and the match *prince in the*
 broke off. But whether the English or Spanish court gave *war for re-*
 the first occasion for the rupture, is somewhat uncertain. *covering the*
palatinate.
Rushworth's
Hist. Coll.
p. 136.

This parliament, to show their forwardness to furnish the
 exchequer, granted the king three subsidies, with three fif-
 teenths and tenths, to be paid before the 10th of May next
 ensuing. This session they gained one point upon the crown:
 they petitioned the king for a fast, and succeeded. This
 request had been made in some former parliaments of his
 reign; but it was then told them there were weekly fasts
 settled already; that, if these were kept, there would be no
 occasion to open the parliament with any extraordinary humi-
 liations. But having wrested this precedent from the king,
 they continued the custom through the next reign, and always
 began the session with a public fast.

The act of 27 Hen. VIII. cap. 28, obliging the grantees of
 religious houses to maintain tillage, and keep on hospitality, is
 repealed by this parliament. And for the handsomier con-
 veyance, he that drew the bill took care neither to place it in

ABBOT, the beginning or end of the statute; but to throw it deeper
Abp. Cant. in the crowd of other repeals, not altogether so remarkable.

21 James 1. In the convocation met at this time, little or nothing was
cap. 28. done, excepting the granting of four subsidies, after the rate
Cyprian. of four shillings in the pound. This is observed to have been
Anglic. the greatest aid that was ever given by the clergy in so short
a time.

The accident To go back a little. In October last, a congregation of
at Black- Roman Catholics meeting at Hundson-house in Blackfriars,
friars. to hear one Drury, a Jesuit, preach, the floor, being over-
laden, sunk under them. The preacher and about ninety-
three others were killed outright, and most of the rest lament-
ably bruised and maimed. To prevent this accident being
misconstrued abroad, they endeavoured to turn the misfortune
upon the reformed. To this end they got a pamphlet dis-
persed in France and Italy, containing a narrative of God's
judgments upon the heretics; and that several of these hetero-
dox Protestants were killed by the fall of a house in St.
Andrew's, Holborn, where they met to hear a Geneva lecture.
They were right in the day, though wrong in the people; for,
as they relate, the misfortune happened on our 26th of Octo-
ber, which falls on the 5th of November new style.

Cyprian. Before the rising of the parliament, Dr. White published a
Anglic. book, entitled "A Reply to Jesuit Fisher's Answer to certain
p. 116. Questions propounded by his Gracious Majesty King James." The occasion was this: his majesty being present at a second conference between White and Fisher, observed that the Jesuit was much better at fencing against opposition, than supporting his own tenets. The king therefore put nine questions to Fisher, to discover his force, and the grounds upon which he went. The points are these:—

Nine ques-
tions put to
Fisher, the
Jesuit.

729.

- "1. Praying to images.
- "2. Prayers and offerings to the blessed Virgin.
- "3. Worshipping and invocation of saints and angels.
- "4. The liturgy and private prayers in an unknown tongue.
- "5. Repetition of Pater-nosters, Aves, and Credos, especially reckoning a sort of merit in proportion to the number."
- "6. Transubstantiation.
- "7. Communion under one kind, and the doctrine of concomitancy.

“ 8. Works of supererogation, especially with reference to the treasure of the Church. JAMES I.

“ 9. Deposing kings, and transferring their dominions by papal authority either directly or indirectly.”

To these nine questions the Jesuit is said to have returned a plausible and well-managed answer. Dr. White was pitched on by the king to disentangle these seeming difficulties. And to encourage the undertaking, his majesty made him his chaplain in ordinary, and dean of Carlisle. White's answer was published in the beginning of April, with the third conference between Laud and Fisher added to it. The seasonable publishing these two books helped to silence the clamours against the government. The commons seemed to be apprehensive the king had been too indulgent to the Roman Catholics: upon this jealousy they drew up a remonstrating address; and here they set forth the danger which seemed to threaten the Church and State from that quarter. This petition being read in the upper house, the lords cut off the complaining preamble, and reduced it to two heads:—

First, That all laws formerly made against popish recusants might be put in execution.

Secondly, That his majesty would please to give his royal word, that upon no score of soliciting marriage, or treaty, he would act with remissness or connivance in this particular.

This address was presented by a committee of both houses, and the contents granted by the king. April 10,
A. D. 1624.

About this time some Roman Catholic priests and Jesuits were executing their mission at Stamford Rivers, in Essex. Mr. Richard Montague, prebendary of Windsor, was then rector of that parish. This divine, to secure his charge to our communion, left some propositions at a neighbour's house where the Roman Catholics used to meet. To this paper a short declaration was subjoined, that if any of those missionaries could satisfy him in his queries put, he would immediately be their proselyte. Instead of returning an answer to these questions, a short pamphlet was at last left for him, entitled “ A new Gag for the old Gospel.” This book pretended to confute the reformed out of their own English Bibles. In examining this performance, Montague perceived several points of Calvinism, never owned by the Church of England, were

*Montague's
answer to
the gagger.*

ABBOT,
Abp. Cant.

charged upon her ; such as the indispensable morality of the Sabbath, the rejecting confession and sacerdotal absolution, the five predestinarian articles settled at Dort, the indistinction of bishops and presbyters, &c. These tenets peculiar to puritanism Montague set aside in his answer to the gagger, disclaimed their being the doctrines of the Church of England, and left them to the defence of their private abettors.

This performance censured by the Puritans.

When this answer appeared, it was deeply censured by the Calvinian party. They pretended the author had deserted the Church of England, and made dangerous advances towards popery and Arminianism. They were conscious this book, if unanswered, would expose their singularities, and prevent the passing their private opinions any longer upon the Church. To make their attack more regular and formidable, it was resolved, that Yates and Ward, two preachers in Ipswich, should peruse the answer, make a collection of some pretended popish and Arminian tenets, and lay them before the next parliament.

Montague applies to the king for protection, and succeeds.

Montague having procured a copy of the information against him, applied to the king's protection. By the way : his majesty had now disentangled himself from some Calvinian prejudices, and had a better opinion than formerly of the Remonstrants' side of the controversy. He had likewise a particular esteem for Montague, and was well pleased with his performance against the "History of Tithes : " and over and above, the king approved Montague's answer to the popish gagger, and thought his distinguishing the doctrines of Calvin from those of the Church of England sufficiently defensible. His majesty likewise, taking notice of the informations being published, and the heat and clamour of Montague's adversaries, gave him leave to appeal to himself, and make his defence in print : and that the book might be the better recommended, the king expressly ordered Dr. White, dean of Carlisle, a celebrated champion against the Church of Rome, should see it published. The book was accordingly licensed by the dean with this approbation, "that there was nothing contained in the same but what was agreeable to the public faith, doctrine, and discipline established in the Church of England." The tract was entitled "Appello Cæsarem ; or, a just Appeal from two unjust Informers : " but the king dying before it was printed off, it was addressed to king Charles, as shall be afterwards related.

Dedicat.
to Appell.
Cæsar.

His book, entitled, "Appello Cæsarem," licensed.

In the mean time it may not be improper to inquire a little farther what the Informers meant in their charge of popery. Now by popery they understood all such points of doctrine, as either being determined by this Church, bear some resemblance with the doctrines of the Church of Rome; or else being left undecided by the English Reformation, every man has the liberty to draw towards the tenets of what communion he pleases. Of the first sort, these following opinions were censured for popery by the Puritans, viz., "the perpetual visibility of the Church; the local descent of Christ into hell; the lawfulness of images; the signing with the sign of the cross; the real presence; the reward of good works; the terms sacrifice and altar; with some others already mentioned." Now these were both received doctrines, and the language of the Church of England.

JAMES I.

See Heylin's
Introduct.
to Cyprian.
Anglic.
*The Anti-Calvinian
divines en-
couraged in
this reign.*

Amongst the undecided points may be reckoned evangelical councils, antichrist, and *limbus patrum*: and here Montague was left to his own judgment, and might settle his assertions as his own reason and the authority of the ancients should direct him. However, the Calvinian interest was then so strong, that had not this divine been a person of great spirit and abilities, and well supported, he must have sunk in the controversy.

In November this winter, a marriage was concluded between the prince of Wales and Henrietta Maria, sister to the French king. The articles were not so full in favour of the Roman Catholics as those agreed with the Spanish court.

The clashing between the English Regulars and Seculars touching jurisdiction, has been already related. To make up this difference, to give orders, and to keep their party better united, the Seculars and Benedictines desired the pope to put them under the government of a bishop. Matthew Kellison and Richard Smith were presented to the court of Rome for this purpose. Pope Urban consecrated the latter, and despatched him into England for a bishop to the Seculars and laity.

In the beginning of the next year the king fell ill of an ague, which crossed the proverb, and proved mortal¹. He died at Theobalds, on Sunday, the 27th of March.

730.

*The king's
death and
character.*

¹ The proverb alluded to is one that has little but rhyme to recommend it. It is this:—

"An ague in the spring
Is medicine for a king."

ABBOT,
Abp. Cant.

The king, as has been observed, disengaged from the Calvinian tenets towards the latter end of his reign, and, to speak clearly, he was never entirely in that persuasion. This, amongst other things, appears sufficiently by his promoting the other party to the highest stations in the Church. Thus, for instance: soon after the Hampton-court conference, Bancroft was preferred to the see of Canterbury, and Barlow to that of Rochester; and upon the translation of this latter to Lincoln, Neil, dean of Westminster, was made bishop of Rochester; and at his removal to Lichfield, was succeeded by Buckeridge. In the year 1614, when Neil was translated to York, Overall succeeded him at Lincoln. The famous Anti-Calvinian Harsnet, already mentioned, was successively promoted to the sees of Chichester and Norwich. In the year 1619, Dr. Houson, canon of Christ-church, was made bishop of Oxford: two years after, Cary, dean of St. Paul's, was preferred to the see of Exeter, and Laud to that of St. David's. And thus at last the Anti-Calvinian divines were strong enough to maintain their ground, and, at least, a balance to the other party.

Quinquart.
Hist. cap. 22.

De Aug-
ment.
Scient. p. 2.

As to this prince's character, the lord Bacon's dedication shall speak part of it, which, though intermixed with some strokes of panegyric, may not be unacceptable to the reader. This great author admires the king for "the compass and extent of his genius, for the strength of his memory, for the quickness of his apprehension, for his penetration, for his ready, methodical, and persuasive manner in speaking; that these natural advantages made him recollect Plato's opinion, 'that science was nothing more than remembrance; that the mind was naturally acquainted with all sort of knowledge: but that this faculty was somewhat embarrassed by the grossness of her vehicle;' that if this assertion was ever made good in any person, it was in this king: that his majesty's apprehension caught at the least spark or glimmering of an object: that as the Scripture reports of king Solomon, that 'his heart was like the sand of the sea;' vast in the whole bulk, but very small in the parts; so God hath given his majesty's understanding a wonderful quality; a faculty to grasp the greatest things, and yet fasten upon the least, and stop them from running through. This, without experiment, would look like an impossibility; that the same instrument should be able to

command the greatest disproportions in quantity, and manage things of such different dimensions. As to your majesty's elocution," continues the lord Bacon, "it brings what Tacitus reports of Augustus Cæsar to my memory. 'Augustus,' says this historian, 'had a flowing eloquence, and spoke like a prince.' And if we examine the matter closely, all drudging, affected, or imitating rhetoric, though otherwise moving, has something that looks mean and servile in it. But your majesty's manner has an air of royalty, flows from your own fountain, and yet keeps within the channels which nature directs. It is remarkably easy, unborrowed, and inimitable. And as conduct and fortune join in the happiness of your majesty's administration, so in your intellectual advantages there seems to be an emulation between nature and improvement, between what you were born to, and what you have acquired. For since the beginning of Christianity, it is hard to find a prince so much ornamented with variety of knowledge, or going so great a length in the particular kinds of it. Whoever runs over the list of kings and princes will be of my opinion : for it is looked on as no ordinary attainment in princes if they can borrow somewhat of their subjects' brains, compass some superficial learning, or give encouragement to men of letters. But for one born a king to go to the bottom and draw from the fountain, or rather to be a spring himself, is next to a miracle. Your majesty," as the noble author goes on, "is so richly furnished with divine and human learning, that you have a right to the character of the celebrated Hermes Trismegistus, and unite the sovereignty of a prince, the illumination of a priest, and the learning of a philosopher in the same person." He goes on to something more, but I shall translate no farther.

The lord keeper Williams, in his sermon at the king's funeral, taking his text out of 1 Kings xi. 41, 42, 43, drew a parallel between Solomon and the prince deceased : he carried on the comparison from their resemblance in knowledge, from the prosperity of their reigns, and the peaceableness of their inclinations. The lord keeper runs the parallel through many other instances too long to recite. He concludes how earnestly his majesty recommended the care of religion and justice to the prince : these he called the two supporters of his throne. As to his marriage, he advised him to marry like himself, and marry where he would. But if he married the princess last

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mentioned, he should take care to distinguish in the engagement; marry her person, but not her religion.

To proceed a little in the description of this prince: his regard for episcopacy appears by his restoring that government in Scotland; and by his majesty's discourse and decision at the conference at Hampton-court, his inclination to the English ecclesiastical constitution is sufficiently evident: his encouragement to learning may be collected from his visiting the universities, and giving them particular marks of esteem. For instance; he augmented the salary of the regius professor at Oxford with a prebendary in Christ-church, and the rectory of Ewelme in that county. The professors of law and physic had likewise their income improved; the first with the corps of a good prebendary¹ in the church of Salisbury, and the other with the government of an hospital in Ewelme above-mentioned, annexed to their employment.

*Benefactions
to the uni-
versity of
Oxford in
this reign.*

The precedent of princes commonly draws imitation, and sets something of a fashion; whether this might be a motive to other benefactions, I shall not conjecture. However, it may not be improper to take notice, that in this reign two mathematic lectures were founded by sir Henry Savil, provost of Eton, and warden of Merton-college: with these must be remembered the history lecture founded by William Cambden, clarencieux; the lecture in natural philosophy by sir William Sidley, baronet; that in moral philosophy by Dr. Thomas White, residentiary of St. Paul's. All these lectures had a considerable settlement: to which may be reckoned an anatomy lecture set up by Richard Tomlins of Westminster, though his fortune would not reach to so plentiful an endowment. To what has been mentioned, we may add the magnificent structures of the public schools, the inclosing a large piece of ground with a fine wall for a physic garden; not to repeat the founding of Wadham-college, and several other considerable improvements in the building of that university.

To draw towards an end of this prince's character. His peaceable temper is by some people reckoned to disadvantage of constitution. His mother's fright at the murder of Rizio affected the fœtus, and gave an overbalance of fear. By this accident, say they, the son was born with a natural aversion to

¹ The corpse of a prebendary is the land with which a prebend or any ecclesiastical office is endowed.—*Vide Bacon.*

fighting. Thus the image of war shocked his fancy, and his blood wanted heat for military enterprise. But all this is roving and mistake. That the king could guard his life handsomely upon occasion, and was not defective in necessary courage, is plain from two instances.

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First. At the Gowry conspiracy, when the traitors had drawn him from his attendants, and conveyed him into a private room; when Alexander Ruthven told him his death was determined, and attempted to tie his hands; when the danger was thus menacing, the king grappled with the assassin, dragged him across the room, and called out to his court; where, by the vigour of his resistance, it is plain his resolution did not fail him. Had he been a coward, he must have been lost. Being thus surprised in the middle of an ambush, he would have despaired of disengaging himself; his spirits would have been overset, and his limbs unserviceable.

At another time, being advised to retire from an insurrection, he disdained the caution, faced the rebels, and made a bold stand upon them. From whence we may infer, that it was his Christian temper which made him so much inclined to peace and repose. He was too just and good-natured a prince to plague the world for avarice and pride; or delight in the ravage and desolations of war.

To conclude. The Thursday before his death, he desired the holy eucharist might be administered to him; gave an account of his faith; and declared himself fully satisfied with what he had written upon the subject of religion. After this, he received absolution, and the blessed sacrament. And now he told the prince, and those who attended, how much this ‘viaticum’ had fortified and refreshed his mind; and advised them to apply to this support upon the same occasion. He behaved himself with great piety and resignation during his sickness; died without agony or reluctance; and, though he quitted so much in this world, went pleased into the other.

*Intrepidus
emisit ani-
mam be-
atam.*
Abp. Laud’s
Diary.

We shall conclude the reign of James I. with a few interesting extracts from Warner, and other later historians, relative to the closing scenes of his life:—

“My design,” says Warner, “does not permit me to relate any of the transactions about the prince’s match with the infanta of Spain, which were drawn out to a length of seven years, and at last, through the caprice of the duke of Buckingham, the favourite, came to nothing. It may be necessary, however, to acquaint the reader, that, besides the privileges allowed the infanta in the article of religion in this treaty with regard to her children and domestics, the king and the prince of Wales took an oath, ‘that no law

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against Papists should hereafter be put in execution; that no new laws should be made against them; and that there should be a perpetual toleration of their religion in private houses, which his council should swear to; that he would never persuade the infant to change her religion; and that he would use all his influence and authority to have these conditions ratified in parliament, that so all penal laws against Papists may not only be suspended, but legally disannulled.' But the king, having broke with Spain, was obliged to concert new measures, and once more to call a parliament, notwithstanding his resolution never to summon another. The parliament met in February, 1624, to which the king made a speech, so totally different from those he had made before, that one should scarcely believe it came out of the mouth of the same prince. This speech, however, like the rest, was liable to many censures, which bore hard on the king's sincerity. Let the reader see what he said on the article of religion, in his own words: 'It hath been talked of my remissness in maintenance of religion, and suspicion of a toleration; but, as God shall judge me, I never thought, nor meant, nor even in word expressed, anything that savoured of it. It is true, that, at times, for reasons best known to myself, I did not so fully put those laws in execution, but did wink and connive at some things which might have hindered more weighty affairs; but I never, in all my treaties, agreed to anything to the overthrow and disagreeing of those laws, but sought in all a chief preservation of that truth which I have ever professed.' It is impossible to read this without wondering, how the king could take God to witness, that he never so much as thought, or intended to grant a toleration of the Papists, when it was one of the secret articles of the marriage. But the parliament, being willing to take things as the king had represented them, made him an offer of three subsidies and three fifteenths; and the clergy granted him four subsidies, after the rate of four shillings in the pound, as soon as he should put an end to the treaty with Spain, and endeavour to recover the palatinate for his son-in-law. In a few days after, the two houses joined in an address to his majesty, 'that all Jesuits and priests might be commanded to depart the realm; that the laws might be put in execution against popish recusants; and that all such might be removed from court, and from within ten miles of London.' To this address the king made a gracious and condescending answer; but an answer so void of truth, and of such solemn prevarication, that it is impossible to read it without astonishment. To many strong expressions, denoting his firm adherence to the reformed religion, his majesty added, 'I protest, before God, that my heart hath bled when I have heard of the increase of popery. God is my judge, it hath been such a grief to me, that it has been as thorns in my eyes, and pricks in my sides. It hath been my desire to hinder the growth of popery; and I could not be an honest man if I should have done otherwise. I will command all my judges to put the laws in execution against recusants, as they were wont to do before these treaties: for the laws are still in force, and were never dispensed with by me. God is my judge, they were never so intended by me.' What solemn appeals are these to Heaven, against the strongest and plainest facts!—facts, which could not be explained away by any secret evasive interpretation, and which were notorious to the whole kingdom! For, though he told his parliament that his heart bled within him when he heard of the increase of popery, yet this very parliament presented him with a list of seven-and-fifty popish lords and knights who were in public offices, many of them of great trust and power. But it does not appear that the king took any notice of it, notwithstanding this parade of zeal and sincerity in his speech: for a treaty of marriage between the prince and a daughter of France being then negotiating, the same articles in favour of popery, agreed upon with Spain, were not only granted, but several popish recusants were released; and the archbishop of Ambrun, with his majesty's leave, confirmed several thousands in the French ambassador's house.

"It is certain that king James had always a good opinion of the Catholic religion, which he thought favourable to the prerogative and arbitrary power of princes, when it was stripped of its slavish dependence on the pope, and of that damnable maxim of deposing and murdering kings. Nay, we are told by this archbishop of Ambrun, that the king had communicated a project to him, when the marriage of his son had taken place, of granting a full toleration to the Catholics in his dominions. But he had not time to carry this into execution: for, in the following spring, he was seized with

a tertian ague, which, in a few days, brought him very unexpectedly to his grave, not without a suspicion of poison. The character of this prince is given so differently by different writers, that, if we look no further than the excessive praises of the one and the invectives of the other party, we shall think him to have been absolutely either the wisest and the best, or the weakest and worst, of kings. I shall form his character upon nothing that has been said of him by his friends or enemies; but, according to the rule I have invariably pursued in this history, I shall make use of no other evidence, either for or against him, than his own words and actions; neither shall I consider these any further back than from the time of his accession to the throne of England. As to the natural temper of James, it was really mild, humane, and affable, without affectation, easy of access and persuasion, without pride, and without cruelty; and in all these respects he had the advantage over Elizabeth. His generosity, which was to a degree of profuseness considering the circumstances he was in, seemed not however to flow from reason or judgment, but from whim or mere benignity of humour; because the objects of it were not such as were endowed with merit, or who possessed talents of popularity which could strengthen his interest with the people, but such as could make themselves agreeable to him in his loose and jovial hours. These hours he certainly had, in which he generally forgot his dignity, and let himself down, not only with freedom and familiarity, but with great indecency of language and behaviour. He neither affected splendid equipages nor costly furniture; but he was immoderately fond of fine clothes in all about him, to a degree of childishness. Hunting was his favourite exercise and amusement, which was cheaper than any other; and, indeed, all his expenses were rather the effects of liberality than of luxury. As he was entirely void of avarice, so he was not in the least ambitious of military glory; which, though it sometimes adds to the lustre of a monarch, is more frequently fatal to the ease and happiness of the people. I am not ignorant that this pacific disposition, which seemed invincible in this prince, has been attributed to pusillanimity and the want of personal courage; but, at the same time, that this reflection appears to be unjust, it cannot be affirmed, as some historians do affirm, that he cultivated peace above all things, out of the affection he bore his subjects. The truth is, king James was passionately fond of ease and quiet; and he sacrificed the foreign and domestic affairs of his government to this predominant disposition. Though he was very far from being the Solomon of the age for wisdom, yet he certainly did not want good natural parts. They were parts indeed of an odd sort, and not at all adapted to the purposes of government in the royal station to which he was destined. He understood the general maxims of state, and might be able perhaps to form the plan of a good government; but he had not capacity or application enough to perceive that the English constitution required particular maxims of its own. There was nothing which showed his want of abilities so much as the extravagant conceit which he himself had entertained of them, and his swallowing the grossest flattery which his courtiers could invent, as what was only due to his parts and learning. If we consider him as a prince, his learning indeed was not contemptible; 'and yet it may safely be affirmed,' says Mr. Hume, 'that the mediocrity of James's talent in literature, joined to the great change in national taste, is the chief cause of that contempt under which his memory labours.' But yet his learning, such as it was, was not the learning of a prince, but of a pedant, and made him more fit to take the chair in the public schools than to sit on the throne of kings. Mr. Pope, I remember, told me, that he thought his majesty's version of the Psalms the very best in the English language: and this opinion is more to his honour, as an author, than anything else that can be said. Whatever is to be said, however, as to his learning, it is certain that he derived no other advantage from it than to talk fluently, though for the most part impertinently, on all sorts of subjects. The whole extent of his political principles reached only to the preservation of the prerogative-royal; and, whilst he imagined that he was only maintaining his own authority, he was encroaching apace on the liberties of the people. As to his religion, he may be said to be neither Papist nor Protestant: it was a motley faith, peculiar, I believe, to himself. He certainly had a religion in speculation; and thus he looked upon all religion as good, provided it taught obedience to the sovereign, which was his first principle. The Roman Catholic religion was therefore much in his favour; and, as he thought the distinguishing

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doctrines of transubstantiation, invocation of saints, the number of the sacraments, and such like, to be school questions, so he had little other objection to it than on account of the exorbitant power which it gave the pope over emperors and kings, and had formed a chimerical project of reconciling them. The toleration, however, which he gave the Papists, in opposition to the repeated desires of his parliament, was merely through fear, and to keep peace with the kings of France and Spain. But he had sense enough to see, that, if he should throw off the Protestant religion, he must lay aside his crown; and that the subjects of England would never submit to the government of a popish king. But though he had, as I said, a religion in speculation, and the Protestant religion too, for the reasons I have given, yet it went no further. The religion which he practised was only kingcraft: to say and unsay, to do and undo, just as he thought it was for his interest. It is strange, but it is true, that James valued himself extremely upon this profligate dissimulation; and though it was almost always detected to his dishonour, yet he persisted in it to the day of his death. If we consider him, in short, as a king, he made a despicable figure through the whole course of his reign, and brought the nation into contempt. He committed the most arduous and important affairs of the government to the sole direction of his favourites; whom he chose, not for their genius, abilities, or experience, but for their youth, and beauty, and fine clothes: and with the same weakness with which he raised up these worthless minions, he permitted himself to be as much under their management as the meanest subject was under his own. As a man, he had virtues and qualities enough to make him very respectable. He was of a companionable nature, a friend to justice, indulgent to his servants, and easy to all about him. Upon the whole, it may be said of James, that, if he was not as bountiful, as wise, as learned, as peaceable, and as religious a prince as had ever sat on the English throne, he had the appearance of being so: thus he was spoke of in his life-time, in the speeches of his ministers and in the sermons of his bishops; and thus many historians have wrote of him since his death."

"The reign of James," says Hume, "was now drawing towards a conclusion. With peace, so successfully cultivated and so passionately loved by this monarch, his life also terminated. This spring he was seized with a tertian ague; and, when encouraged by his courtiers with the common proverb, that such a distemper during that season was health for a king, he replied that the proverb was meant of a young king. After some fits, he found himself extremely weakened, and sent for the prince, whom he exhorted to bear a tender affection for his wife, but to preserve a constancy in religion; to protect the Church of England; and to extend his care towards the unhappy family of the palatine. With decency and courage he prepared himself for his end; and he expired on the 27th of March, after a reign over England of twenty-two years and some days, and in the fifty-ninth year of his age. His reign over Scotland was almost of equal duration with his life.

"No prince, so little enterprising and so inoffensive, was ever so much exposed to the opposite extremes of calumny and flattery, of satire and panegyric. Many virtues, however, it must be owned, he was possessed of; but scarce any of them pure, or free from the contagion of the neighbouring vices. His generosity bordered on profusion, his learning on pedantry, his pacific disposition on pusillanimity, his wisdom on cunning, his friendship on light fancy and boyish fondness. While he imagined that he was only maintaining his own authority, he may perhaps be suspected, in a few of his actions, and still more of his pretensions, to have somewhat encroached on the liberties of his people; while he endeavoured, by an exact neutrality, to acquire the good-will of all his neighbours, he was able to preserve fully the esteem and regard of none. His capacity was considerable, but fitter to discourse on general maxims than to conduct any intricate business; his intentions were just, but more adapted to the conduct of private life than to the government of kingdoms. Awkward in his person and ungainly in his manners, he was ill qualified to command respect; partial and undiscerning in his affections, he was little fitted to acquire general love. Of a feeble temper, more than of a frail judgment; exposed to our ridicule, from his vanity; but exempt from our hatred, by his freedom from pride and arrogance. And, upon the whole, it may be pronounced of his character, that all his qualities were sullied with weakness and embellished by humanity.

Of political courage he certainly was destitute; and thence chiefly is derived the strong prejudice which prevails against his personal bravery: an inference, however, which must be owned, from general experience, to be extremely fallacious."

Such is Hume's estimate of the character of James: the following is Lingard's:—

"James, though an able man, was a weak monarch. His quickness of apprehension and soundness of judgment were marred by his credulity and partialities, his childish fears and habits of vacillation. Eminently qualified to advise as a counsellor, he wanted the spirit and resolution to act as a sovereign. His discourse teemed with maxims of political wisdom; his conduct frequently bore the impress of political folly. If, in the language of his flatterers, he was the British Solomon, in the opinion of less interested observers he merited the appellation given to him by the duke of Sully, that of 'the wisest fool in Europe.'

"The anomalies of his character may be traced to that love of personal ease which seems to have formed his ruling passion. To this we see him continually sacrificing his duties and his interests, seeking in his earlier years to shun by every expedient the tedium of public business, and shifting at a later period the burthen of government from himself to the shoulders of his favourites. It taught him to practise, in pursuit of his ends, duplicity and cunning, to break his word with as much facility as he gave it, to swear and forswear as best suited his convenience. It plunged him into debt, that he might spare himself the pain of refusing importunate suitors, and induced him to sanction measures which he condemned, that he might escape from the contradiction of his son and his favourite. To forget his cares in the hurry of the chase or the exercise of the golf, in carousing at table or laughing at the buffoonery of those around him, seem to have constituted the chief pleasures of his life.

"His conversation was eloquent, but pedantic, interspersed with numerous oaths, and often disgraced by profane allusions. Though he was no admirer of female beauty, he is charged with encouraging the immoralities of Somerset and Buckingham; and the caresses which he heaped on his favourites, joined to the indelicacy of his familiar correspondence, have induced some writers to hint a suspicion of more degrading habits. But so odious a charge requires more substantial proof than an obscure allusion in a petition, or the dark insinuations of a malicious libeller.

"From his preceptor, Buchanan, James had imbibed the maxim, that 'a sovereign ought to be the most learned clerk in his dominions.' Of his intellectual acquirements, he has left us abundant evidence; but his literary pride and self-sufficiency, his habit of interrogating others that he might discover the extent of their reading, the ostentatious display which he continually made of his own learning, though they won the flattery of his attendants and courtiers, provoked the contempt and derision of real scholars. Theology he considered as the first of sciences on account of its object, and of the highest importance to himself in quality of head of the Church and defender of the faith. But, though he was always orthodox, his belief was not exempt from change. For many years his opinions retained a deep tinge of Calvinism: this was imperceptibly cleared away by the conversation of Laud and Montague, and other high churchmen; and before the close of his reign he had adopted the milder, but contrary, doctrines of Arminius. To the last he employed himself in theological pursuits: and to revise works of religious institution, to give directions to preachers, to confute the heresies of foreign divines, were objects which occupied the attention and divided the cares of the sovereign of three kingdoms.

"Besides divinity, there was another science with which he was equally conversant,—that of demonology. With great parade of learning, he demonstrated the existence of witches and the mischiefs of witchcraft, against the objections of Scot and Wierus. He even discovered a satisfactory solution of that obscure but interesting question, 'Why the devil did worke more with auncient women than others?' But ancient women had no reason to congratulate themselves on the sagacity of their sovereign. Witchcraft, at his solicitation, was made a capital offence; and, from the commencement of his reign, there scarcely passed a year in which some aged female or other was not condemned to expiate on the gallows her imaginary communications with the evil spirit.

"Had the lot of James been cast in private life, he would have made a respectable

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country gentleman: the elevation of the throne exposed his foibles to the gaze of the public, and that at a time when the growing spirit of freedom and the more general diffusion of knowledge had rendered men less willing to admit the pretensions, and more eager to censure the defects, of their superiors. With all his learning and eloquence, he failed to acquire the love or the esteem of his subjects; and, though he deserved not the reproaches cast on his memory by the revolutionary writers of the next and succeeding reigns, posterity has agreed to consider him as a weak and prodigal king, a vain and loquacious pedant."

The following extract from Balfour, a Scottish writer, is made by Lingard: "He was of a middle stature, more corpulent throgh his clothes then in his bodey, zet fattenough: his clothes euer being made large and easie, the doubletts quilted for steletto prooffe, his breeches in grate pleits, and full stuffed. He was naturally of a timourous dispositione, which was the gratest reasone of his quilted doubletts. His eyes large, euer roulling after any stranger cam in his presence. in so much as mancy for shame have left the roome, as being out of countenance. His beard was verely thin; his toung too large for his mouthe, and made him drinke verely vncomlie, as if eating his drinke, wich cam out into the cupe in cache syde of his mouthe. His skin vas als softe as tafta sarsnet, wich felt so because he neuer washt his hands, onlie rubb'd his fingers ends slightly vith the vett end of napkin. His legs wer verely weake, hauing had (as was thought) some foule play in his youthe, or rather before he was borne, that he was not able to stand at seuen zeires of age; that weaknes made him euer leaning one other men's shoulders."

"He was only once married, to Anne of Denmark, who died on the 3rd of March, 1619, in the forty-fifth year of her age: a woman eminent neither for her vices nor her virtues. She loved shows and expensive amusements, but possessed little taste in her pleasures. A great comet appeared about the time of her death, and the vulgar esteemed it the prognostic of that event.

"He left only one son, Charles, then in the twenty-fifth year of his age; and one daughter, Elizabeth, married to the elector palatine. She was aged twenty-nine years. Those alone remained of six legitimate children born to him. He never had any illegitimate; and he never discovered any tendency, even the smallest, towards a passion for any mistress.

"The archbishops of Canterbury, during this reign, were Whitgift, who died in 1604; Bancroft, in 1610; Abbot, who survived the king. The chancellors,—lord Ellesmere, who resigned in 1617; Bacon was first lord-keeper till 1619, then was created chancellor, and was displaced in 1621; Williams, bishop of Lincoln, was created lord-keeper in his place. The high-treasurers were,—the earl of Dorset, who died in 1609; the earl of Salisbury, in 1612; the earl of Suffolk, fined and displaced for bribery in 1618; lord Mandeville, resigned in 1621; the earl of Middlesex, displaced in 1624; the earl of Marlborough succeeded. The lord-admirals were,—the earl of Nottingham, who resigned in 1618; the earl—afterwards duke—of Buckingham. The secretaries of state were,—the earl of Salisbury, sir Ralph Winwood, Nanton, Calvert, lord Conway, sir Albertus Moreton.

"The numbers of the house of lords, in the first parliament of this reign, were seventy-eight temporal peers. The numbers in the first parliament of Charles were ninety-seven. Consequently, James, during that period, created nineteen new peerages above those that expired.

"The house of commons, in the first parliament of this reign, consisted of four hundred and sixty-seven members. It appears that four boroughs revived their charters, which they had formerly neglected. And as the first parliament of Charles consisted of four hundred and ninety-four members, we may infer that James created ten new boroughs."

THE END OF THE SEVENTH VOLUME.

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